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MISSISSIPPI IN 1875.

REPORT

OF THE

SELECT COMMITTEE

TO INQUIRE INTO THE

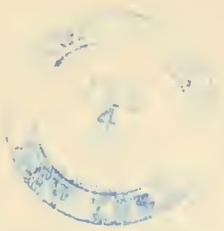
MISSISSIPPI ELECTION OF 1875,

WITH THE

TESTIMONY AND DOCUMENTARY EVIDENCE.

IN TWO VOLUMES.
VOL. I.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1876.



THE MISSISSIPPI COMMITTEE.

Senator GEORGE S. BOUTWELL, (chairman) ..... Massachusetts.
Senator ANGUS CAMERON ..... Wisconsin.
Senator SAMUEL J. R. MCMILLAN ..... Minnesota.
Senator THOMAS F. BAYARD ..... Delaware.
Senator JOSEPH E. MCDONALD ..... Indiana.

EXTRACTS FROM THE JOURNAL.

I.

RESOLUTION ORDERING THE INQUIRY.

By the Senate of the United States of America:

IN THE SENATE OF THE UNITED STATES,
March 31, 1876.

Resolved, Whereas it is alleged that the late election in Mississippi (in 1875) for members of Congress, State officers, and members of the legislature was characterized by great frauds committed upon and violence exercised toward the colored citizens of that State and the white citizens disposed to support their rights, and especially that the colored voters, on account of their color, race, or previous condition of servitude, were by intimidation and force deterred from voting, or compelled to vote, contrary to their wishes, for candidates and in support of parties to whom they were opposed, and their right to the free exercise of the elective franchise, as secured by the fifteenth amendment to the Constitution, thus practically denied and violated, and that such intimidation has been since continued for the purpose of affecting future elections; and

Whereas the people of all the United States have an interest in and a right to insist upon the enforcement of this constitutional amendment, and Congress, having the power to enforce it by appropriate legislation, cannot properly neglect the duty of providing the necessary legislation for this purpose: Therefore

Resolved, That a committee of five Senators be appointed by the Chair to investigate the truth of these allegations, and to inquire how far these constitutional rights have in the said election been violated by force, fraud, or intimidation, and to inquire and report to the Senate before the end of the present session whether any, and, if so, what, legislation is necessary to secure the said colored citizens the free enjoyment of their constitutional rights; and that said committee be empowered to visit said State, to send for persons and papers, to take testimony on oath, and to use all necessary process for these purposes.

II.

ORDERS APPOINTING THE COMMITTEE.

IN THE SENATE OF THE UNITED STATES,
April 4, 1876.

Ordered, That Mr. Boutwell, Mr. Cameron of Wisconsin, Mr. Oglesby, Mr. Bayard, and Mr. McDonald be the said committee.

IN THE SENATE OF THE UNITED STATES,
April 25, 1876.

The President *pro tempore* appointed Mr. McMillan a member of the select committee to inquire into certain allegations of fraud in the recent election in Mississippi, in place of Mr. Oglesby, excused.

III. .

RESOLUTION AUTHORIZING EMPLOYMENT OF OFFICERS.

IN THE SENATE OF THE UNITED STATES,
April 11, 1876.

Resolved by the Senate, That the special committee appointed by the Senate, under a resolution adopted on the 31st day of March last, to investigate the late election in Mississippi, be authorized to employ a clerk and stenographer, to send for persons and papers, to administer oaths and take testimony; and the expenses of said committee shall be paid upon vouchers approved by the chairman of the committee.

IV.

RESOLUTION EXTENDING THE INVESTIGATION.

[From the Congressional Record of May 19, 1876, page 20, Senate proceedings.]

"Mr. MORTON. I offer the following resolution:

"*Resolved*, That the special committee heretofore appointed by the Senate to investigate the late election in Mississippi be instructed to investigate also the late alleged killing of people and outrages committed near the Mississippi and Louisana line, and on and near Bayou Tunica, and on Red River; and that for this purpose the committee shall have all the power and authority conferred by the original resolution for their appointment.

"I should like to read, in connection with this resolution, the following dispatch received by Governor Kellogg, who is now in the city, late last night from H. C. Clarke, his private secretary:

"NEW ORLEANS, *May* 17, 1876.

"To Governor KELLOGG, (*Willard's Hotel,*) *Washington, D. C.:*

"Watson, supervisor registration, Swaizie's son, and other colored fugitives from Feliciana arrived; details horrible. Two young colored girls taken from church at Iven's Place, two miles Mississippi line, Sunday, and ravished to death by young white men from Mississippi. About six white men known to be killed and nearly sixty colored men hanged or shot up to Tuesday night. At Bayou Tunica, four hundred colored men and about the same number whites are under arms, the bayou between them, colored men resisting passage of bayou by white regulators.

"If committee comes, cannot they be instructed to take testimony?

"H. C. CLARKE.

"The resolution was considered by unanimous consent and agreed to."

V.

MEETINGS OF THE COMMITTEE.

The committee met and took testimony at Washington, D. C., April 27, 28, 29; May 1, 3, 4, 5, 6, 9, 31; June 1.

Jackson, Miss., June 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24.

Aberdeen, Miss., June 26, 27.

Washington, D. C., July 7, 8, 10, 11, 12, 13, 15, 20, 27.

VI.

PROTEST AGAINST RECEIVING TELEGRAPHIC DISPATCHES.

At Jackson, Miss., June 12, John Galbraith was called. His summons contained these words:

Bring with you all telegraphic dispatches signed by or addressed to General J. Z. George, and dated in the months of September, October, and November, 1875.

When Mr. Galbraith appeared this debate took place in committee, and it was ordered to be entered in the journal:

Senator BAYARD: Mr. Chairman, this morning, just before the committee met, you stated to Mr. McDonald and myself something concerning this subject. Until that time we had no information of the intention of the committee to call for the telegraphic correspondence of General George or anybody else, and all that we desire to do now is to have it appear on the record of the proceedings of this committee that we disapprove of the seizure of the correspondence of any private citizen by this committee, unless it be to contradict a witness who has been summoned before the committee by his own telegrams in a matter within the jurisdiction of the committee to impeach him. I care nothing for this correspondence, but simply want an objection to appear of record Mr. George is a private citizen of this State, who has not been summoned before this committee, and we consider that he has rights, and those with whom he corresponds have rights, which should be guarded. This is a sweeping order to bring all the dispatches sent by or addressed to General J. Z. George, and I desire to appear on record as opposed to such arbitrary action.

Senator MCDONALD. I agree with all that Mr. Bayard has said. I understand the regulations adopted by the telegraph company in reference to correspondence prohibit their agents from exhibiting correspondence to any person except those who send the dispatches or those to whom they are sent, unless by order of a court of competent jurisdiction—a court or tribunal where the ends of justice require the production of the correspondence as instruments of evidence. I do not understand that the custodian of those papers is subject to a *subpœna duces tecum* in the present case. There is a violation of the regulations made for the benefit of those who patronize the telegraph companies by intrusting their correspondence to it, and at present I see nothing to warrant me, as a member of this committee, even if I thought such power was vested in it, (and I am not clear about that,) to issue such an order as a court might issue in a proper case. I see nothing that would justify me in voting for such an order in this case.

Senator CAMERON. If this was an original question, possibly I might agree with you; but since 1866 congressional committees have in numerous cases required the superintendents of telegraphs to produce telegrams; and, so far as I know, they have always been produced. Every congressional committee, I think, of the present House of Representatives has required the production of telegraphic dispatches before it, and they have been produced. It is now too late to raise the question.

VII.

RESOLUTION AS TO PUBLIC SESSIONS.

At the meeting of the committee at Washington, April 29, Senator Bayard offered this resolution:

Resolved, That in taking testimony this committee shall sit with open doors until otherwise ordered.

After discussion a vote was taken, and the resolution lost; Senators Bayard and McDonald voting in the affirmative.

VIII.

APPOINTMENT OF OFFICERS.

At the first meeting of the committee, in Washington, April 27, James Redpath, of Massachusetts, was appointed clerk; E. C. Bartlett, of Maine, stenographer. Senate Postmaster Creary, of Michigan, was subsequently deputed by Sergeant-at-Arms French as assistant sergeant-at-arms, and accompanied the committee to Mississippi in that capacity.

REPORTS OF THE COMMITTEE.

IN THE SENATE OF THE UNITED STATES.

AUGUST 7, 1876.—Ordered to be printed.

Mr. BOUTWELL, from the Select Committee to Inquire into Alleged Frauds in the Recent Election in Mississippi, submitted the following

REPORT:

The special committee appointed under a resolution of the Senate adopted on the 31st of March last, and instructed to inquire how far the rights of the people of Mississippi, guaranteed by the Constitution of the United States, and secured especially by the fifteenth amendment, were violated by force, fraud, or intimidation at the election held in that State on the 2d of November, 1875, respectfully submit to the Senate the testimony taken, with the conclusions of the committee thereon.

The testimony will fully support the allegation that force, fraud, and intimidation were used generally and successfully in the political canvass of 1875.

But before proceeding to a detailed statement of the facts and conclusions sustained and warranted by the proof, the committee think it proper to refer to the suggestions and excuses offered in justification of the outrages committed.

It has been alleged that Governor Ames was an unfit person to hold the office to which he was elected in the year 1873; but, on the contrary, the committee find from the evidence, as well as from general report in Mississippi, that Governor Ames was not only not amenable to any just charge affecting his personal integrity, his character as a public officer, or his ability for the duties of chief magistrate of that State, but that his fitness in all these particulars was sustained by the testimony of those who were not in accord with him politically. The committee refer especially to the testimony of the Hon. J. A. P. Campbell, appointed by the existing government one of the judges of the supreme court of the State of Mississippi.

The evidence submitted tends strongly to show, what cannot be denied, that there were many persons in office in the State of Mississippi, especially in elective offices, in the several counties, who were either incapable or dishonest; and there were a few of the same character connected with the State government. The conduct of these persons, however, was not approved by the governor nor by the masses of the republican party.

Complaints and charges against a class of persons called "carpet-baggers" are frequent in the depositions of witnesses opposed to the republican party in the State. It is to be admitted that a small number of the immigrants from other States misused the confidence of the black people, secured office, and betrayed the trusts confided to them. But the number of such persons, compared to the whole number of immigrants, was very small; and it is but just to say that the great majority

are intelligent, upright, and brave men from the North who are entirely incorruptible, and who, in peril of their lives, are now struggling against serious odds to maintain their political opinions and to secure a just administration of the Government.

It is alleged that during the last six or eight years the expenses of the State have been unnecessarily increased, and that heavy taxes have been imposed for which no adequate return has been received by the people. Comparisons are made between the rate of taxation previous to the war and since the year 1870, and the conclusion is drawn that large sums of money are extorted from the people, and wasted, or, through negligence and extravagance, misapplied.

It is undoubtedly true that taxes are higher in the State of Mississippi than they were previous to 1860; but the rate of increase is far less than in some of the Northern States, where no serious complaints are made against the administration of public affairs.

It is to be observed, also, that previous to the war taxes were not levied for the support of schools in Mississippi; indeed, there was no system of public instruction; and that since the war school-houses have been erected in all parts of the State for the education of the children of both races, and large sums of money have been expended annually for the maintenance of schools, including schools for training teachers.

It is also true that previous to the war the taxes were imposed upon slaves and upon business, while since the war the taxes have been laid chiefly upon personal property and upon land.

In 1873 the State expenses were $953,000; in 1874, $908,000; and in 1875 the expenses were only $618,000. The State debt, not including trust-funds, is only $500,000.

A tax of $1.60 upon each person will pay the public debt and meet the current expenses for a year. (Testimony, p. 8.)

Attorney-General Harris makes the following statement in regard to taxation for the period of twenty-six years: He says,

Take, for example, 20 years of democratic rule in Mississippi, and see what amount of money their own records show were expended, and they held uninterrupted sway, as we can best ascertain from the reports of the auditor and treasurer, made to biennial sessions of their legislature. Take the 20 years, from 1850 to 1870, and compare it with six years of republican rule, from 1870 to 1875, inclusive, the following is shown:

Expenditures:

1850	$295,933 48	1860	$663,536 55
1851	226,407 41	1861	1,824,161 75
1852	802,579 76	1862	6,819,894 54
1853	229,288 45	1863	2,210,794 23
1854	584,296 84	1864	5,446,732 06
1855	311,578 19	1865	1,410,250 13
1856	784,896 79	1866	1,860,809 89
1857	1,067,086 57	1867	625,817 29
1858	614,659 00	1868	525,678 80
1859	707,015 00	1869	463,219 71
	5,623,741 49		20,208,894 95
			5,623,741 49
Total expenditures for 20 years			25,832,646 44

Now, take the republican administration for six years. Expenditures for—

1870	$1,061,249 90	1873	$953,030 00
1871	1,319,626 19	1874	908,330 00
1872	1,098,031 69	1875	618,259 00
	3,478,906 78		2,479,619 00
			3,478,906 78
			5,957,525 78

Total expenditures for six years, $5,957,525.78.

The twenty years of democratic administration show an annual average of $1,291,632.32. The six years of republican administration show an annual average of $992,920.96.

This may be claimed to be unfair, as it embraces four years of the war; but, for the sake of fairness, let us strike out the four years of the war, or the amount expended during those four years, 1861, 1862, 1863, and 1864, and add in lieu thereof the amount expended in 1860, $663,536.55, and we have an expenditure of $12,184,019.06, or an annual average of $699,200.95, as against $992,920.96. From this it would appear that the republican administration has been more expensive than the democratic administration; but there are several reasons for this: Before the war the taxes were paid in gold and silver, and everything much cheaper than since the war; and in January, 1870, when the republicans came into power, State warrants were worth about sixty or sixty-five cents on the dollar; the capitol and mansion were dilapidated; the penitentiary and lunatic asylum were too small, and had to be extended and repaired, and all the improvements cost nearly two prices, because payments were made in warrants at their reduced value. And the judiciary system was rendered more expensive to the State by dispensing with the probate court, the expenses of which had been formerly paid by the counties; this jurisdiction was given to the chancery court, and the number of citizens had more than doubled, and all departments of State government rendered necessarily more expensive. And, again, the school system has been carried on at an expense very large, a thing that had never existed before the war. The expenditures for school purposes in the six years has been about $320,000 per annum. Let us add a few items which have been necessary since the war, and for which no expenditures were ever made by the democracy, by way of annual averages, and it will be seen at a glance why it is that the expenditures have been larger than formerly:

For school purposes, (as above)	$320,000
Probate court business by the chancery court, (probates' salaries by the counties,) (Code, 1857, p. 423)	36,700
Average annual improvements on public buildings, about	100,000
County record, &c., furnished, (destroyed during the war, and exhausted, &c.)	12,500
Making an average per annum of	469,200

Take this from the average, $992,920.96, leaves $523,720.96. These were necessary expenses, never incurred by a democratic administration, The only common-school system in the State before the war seemed to be a well-organized system to squander the school-fund of the State as rapidly as the same was donated to the State by the Government, as the history of the fund will show. Take these items from the annual expenditures of the six years of republican administration, and the average is reduced per year to $523,720.96. Thus showing the average annual expense of the republican administration to be, on the old basis of State expenses, actually $75,480 less than the average expenses under the democratic rule of twenty years, with less than one-half of the citizens to be governed, and at a time when expenditures everywhere were largely in advance of former years. Many other items of extraordinary expenses have been incurred since January, 1870, not included in these statements.

This, I think, shows a fair statement of the expenditures for the last 26 years, 20 years of democratic rule and 6 years of republican rule.

The taxes have been increased and decreased for the various State purposes, for the six years alluded to, as follows: 1870, 5 mills on the dollar; in 1871 it was 4 mills; in 1872, 8¼ mills; in 1873 it was 12½ mills; in 1874 it was 14 mills; in 1875 it was 9¼. In the last three years there was a school-tax as follows: 1873 and 1874 a school-tax of 4 mills, and for 1875, 2 mills. This is included in the above estimate, and the counties were restricted in their levies for county purposes as follows: By act of 1872, the counties were prohibited from levying a tax which, with the State and school tax added, shall not exceed 25 mills on the dollar, and in 1875 they were restricted to 20 mills on the dollar.

It seems that the real complaint of the people of the State, as to the burden of taxation, grows out of the fact that the taxable property of the State is, in the main, unproductive; and to evade the tax, the tax-payers, in giving their property to the assessor, place it far below its actual value, and continue year after year to reduce the taxable values of the property.

The statements made by Hon. G. E. Harris, attorney-general, Capt. H. T. Fisher, and Mr. E. Barksdale are referred to as presenting both sides of the case, and furnishing the best means at the command of the committee for a just judgment.

The testimony taken tends to show that those who participated in

the means by which the election of 1875 was carried by the democratic party rely, for justification, upon the facts of maladministration, as set forth in the testimony submitted with this report.

In the opinion of the committee, those errors and wrongs, if admitted to the extent claimed, furnish no justification whatever for the outrages and crimes established by the testimony.

It is also alleged in justification of the acts of intimidation, and of the crimes committed during the canvass and at the election, that Governor Ames had organized, or attempted to organize, a force, termed the negro militia. At the time of the riot at Clinton, on the 4th of September, 1875, which resulted in the death of at least thirty persons, there was no military organization in the State. The sum of $60,000 had been appropriated by the legislature, at its preceding session, for the organization and support of a military force; and the event at Clinton, in connection with the fact of disturbances in other portions of the State, led Governor Ames to attempt its organization. At the same time he issued the following proclamation:

PROCLAMATION.

STATE OF MISSISSIPPI, EXECUTIVE OFFICE,
Jackson, September 7, 1875.

Whereas persons have formed themselves into military organizations in various parts of the State without sanction of law, and such organizations are moved to the support of each other from point to point in counties, and from one county to another, without the approval or consent of the peace officers of such counties, and without the knowledge or authority of the State Government; and

Whereas such organizations have overthrown civil government in Yazoo county, set it at defiance in Hinds County, and created distrust and fear in Warren and other counties, causing the loss of many lives, and compelling many persons to flee from their homes; and

Whereas such action has already caused great injury to the interests of the people; and, if persisted in, will result in incalculable evil;

Now, therefore, I, Adelbert Ames, governor of the State of Mississippi, do hereby make proclamation, and command all persons belonging to such organizations to disband forthwith; and I hereby require all citizens to render obedience to, and assist the peace officers of the various counties in the preservation of peace and order and the enforcement of the laws of the State.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Mississippi to be affixed, this the 7th day of September, A. D. 1875.

[L. S.] ADELBERT AMES.

By the Governor:

JAMES HILL, *Secretary of State.*

Some of the officers selected by him were native-born white citizens who had served in the late war on the side of the confederates, and he solicited and accepted recruits from the white as well as from the black population. (See testimony of General Hurst, p. 87.)

This effort on the part of the governor, it is now claimed, was the occasion seized by the democrats for organizing and arming themselves, ostensibly to resist the black militia; but, in fact, such organization had been effected previously, as is shown by the testimony concerning the Clinton riot, and in the end it became the means by which the colored inhabitants and the white republicans of the State were overawed, intimidated, and deprived of their rights as citizens. (See testimony of Hon. H. Swann, pp. 307, 308; W. A. Montgomery, p. 546; and others.)

These organizations were the instruments also by which numerous murders were committed upon persons who were then active, or who had been active, in the republican party.

By the terms of the peace conference entered into by General J. Z. George, the chairman of the democratic State committee, and Governor

Ames, on the 13th of October, 1875, the attempt to organize the militia was abandoned, General George on his part agreeing to secure a peaceful election and the full and free enjoyment of the elective franchise by every citizen. The stipulation on the part of the governor was faithfully kept, but the promise made by General George was systematically disregarded by the democrats in the larger portion of the State.

The outrages perpetrated by the white people in the canvass and on the day of election find no justification whatever in the acts or the policy of Governor Ames concerning the State militia.

The effort on his part to organize the militia for the preservation of the public peace seems to the committee to have been not only lawful but proper, and the course of the democrats in organizing and arming themselves to resist the governor in his efforts to preserve the public peace was unlawful, and the proceedings should have been suppressed by the State authorities if possible; and, in case of failure on their part, by the Government of the United States.

The constitution of the State provides that the militia shall consist of the able-bodied male citizens between the age of eighteen years and the age of forty-five years, and the legislature provided for its organization, by an act passed at its first session in the year 1870. It was the duty of the governor to use the militia for the suppression of such riots as those of Vicksburgh and Clinton, and this without regard to the question whether the white or the black race was most responsible therefor.

In the opinion of the committee, the riot at Clinton was in harmony with the policy previously adopted by democrats in that vicinity, and designed to intimidate and paralyze the republican party. The testimony shows that the riot was inaugurated by a body of eight or ten young men from Raymond, who acted, apparently, under the advice of the Raymond Gazette, a democratic newspaper, edited by G. W. Harper, an aged and highly-respected man, according to the testimony of Frank Johnston, W. A. Montgomery, (p. 559,) and others.

The riot occurred September 4, and the Raymond Gazette, as early as June or July, gave this advice:

> There are those who think that the leaders of the radical party have carried this system of fraud and falsehood just far enough in Hinds County, and that the time has come when it should be stopped—peaceably if possible, forcibly if necessary. And to this end it is proposed that whenever a radical pow-wow is to be held, the nearest anti-radical club appoint a committee of ten discreet, intelligent, and reputable citizens, fully identified with the interests of the neighborhood, and well known as men of veracity, to attend as representatives of the tax-payers of the neighborhood and county, and true friends of the negroes assembled, and that whenever the radical speakers proceed to mislead the negroes, and open with falsehoods, and deceptions, and misrepresentations, the committee stop them right then and there, and compel them to tell truth or quit the stand.

Nor do these outrages find any excuse in the statement made repeatedly by witnesses, that the negroes were organizing or threatened or contemplated organizing themselves into military bands for the destruction of the white race. The evidence shows conclusively that there were not only no such organizations, but that the negroes were not armed generally; that those who had arms were furnished with inferior and second-hand weapons, and that their leaders, both religious and political, had discountenanced a resort to force. Many rumors were current among the whites that the negroes were arming and massing in large bodies, but in all cases these rumors had no basis.

In a sentence, it may be asserted that all the statements made that there was any justifiable cause for the recent proceedings in Mississippi are without foundation.

On the other hand, it is to be said, speaking generally, that a controlling part, and, as we think, a majority, of the white democratic voters of the State were engaged in a systematic effort to carry the election, and this with a purpose to resort to all means within their power, including on the part of some of them the murder of prominent persons in the republican party, both black and white.

There was a minority, how large the committee are unable to say, who were opposed to the outrages which by this report are proved to have taken place. This minority, however, is for the time overawed and as powerless to resist the course of events as are the members of the republican party. Under more favorable circumstances they may be able to co-operate with the friends of order, and redeem the State from the control of the revolutionary element.

(1.) The committee find that the young men of the State, especially those who reached manhood during the war, or who have arrived at that condition since the war, constitute the nucleus and the main force of the dangerous element.

As far as the testimony taken by the committee throws any light upon the subject, it tends, however, to establish the fact that the democratic organizations, both in the counties and in the State, encouraged the young men in their course, accepted the political advantages of their conduct, and are in a large degree responsible for the criminal results.

(2.) There was a general disposition on the part of white employers to compel the laborers to vote the democratic ticket. This disposition was made manifest by newspaper articles, by the resolutions of conventions, and by the declarations of land-owners, planters, and farmers to the workmen whom they employed, and by the incorporation in contracts of a provision that they should be void in case the negroes voted the republican ticket.

(3.) Democratic clubs were organized in all parts of the State, and the able-bodied members were also organized generally into military companies and furnished with the best arms that could be procured in the country. The fact of their existence was no secret, although persons not in sympathy with the movement were excluded from membership. Indeed their object was more fully attained by public declarations of their organization in connection with the intention, everywhere expressed, that it was their purpose to carry the election at all hazards.

In many places these organizations possessed one or more pieces of artillery. These pieces of artillery were carried over the counties and discharged upon the roads in the neighborhood of republican meetings, and at meetings held by the democrats. For many weeks before the election members of this military organization traversed the various counties, menacing the voters and discharging their guns by night as well as by day. This statement is sustained by the testimony of Capt. W. A. Montgomery, Capt. E. O. Sykes, J. D. Vertner, leading democrats in their respective counties, as well as by the testimony of a large number of trustworthy republicans.

(4.) It appears from the testimony that, for some time previous to the election, it was impossible, in a large number of the counties, to hold republican meetings. In the republican counties of Warren, Hinds, Lowndes, Monroe, Copiah, and Holmes meetings of the republicans were disturbed or broken up, and all attempts to engage in public discussion were abandoned by the republicans many weeks before the election.

(5.) The riots at Vicksburgh on the 5th of July, and at Clinton on the 4th of September, were the results of a special purpose on the part of the democrats to break up the meetings of the republicans, to destroy

the leaders, and to inaugurate an era of terror, not only in those counties, but throughout the State, which would deter republicans, and particularly the negroes, from organizing or attending meetings, and especially deter them from the free exercise of the right to vote on the day of the election. The results sought for were in a large degree attained.

(6.) Following the riot at Clinton, the country for the next two days was scoured by detachments from these democratic military organizations over a circuit of many miles, and a large number of unoffending persons were killed. The number has never been ascertained correctly, but it may be estimated fairly as between thirty and fifty.

Among the innocent victims of those days of horror and crime was Mr. Wm. P. Haffa, a white man, a teacher by profession, a justice of the peace by the choice of his fellow-citizens, and a candidate for reelection upon the republican ticket. He was a resident of Philadelphia with his family until the year 1870, when he emigrated to Mississippi for the purpose of planting. The story of his assassination as related by his wife is here given in full:

ASSASSINATION OF MR. HAFFA.

WASHINGTON, D. C., *July* 7, 1876.

Mrs. ALZINA F. HAFFA sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Have you lived in Mississippi, and if so, how long?—Answer. Yes, sir; it will be seven years next February since I went there.

Q. Where did you live before that?—A. In Philadelphia, my native place.

Q. What was your husband's name?—A. William P. Haffa.

Q. Did you go to Mississippi with him?—A. Yes, sir.

Q. He is not living now?—A. No, sir.

Q. Will you state to the committee the time when he died and the circumstances of his death?—A. Do you desire me to state anything previous to that?

Q. You can state just what took place in Mississippi that you think important.—A. We were there about two months and a half or three months——

Q. When did you go there?—A. In February.

Q. What year?—A. 1870—seven years next February. Mr. Haffa went there for the purpose of raising cotton and corn.

Q. Where did you live?—A. In Hinds County, third district.

VISITED TO DEFINE HIS POLITICS.

Q. Near what town?—A. I cannot tell you how many miles from Vicksburgh, I don't remember; but we lived within a few miles of Auburn, Miss.; I think it was two or three miles.

After we had been living there about three months we were waited upon by the owners of the land, and they asked Mr. Haffa whether he was a friend to the white people or to the nigger, using a profane word. They called him outside and I followed him and stood at the door and heard what they said.

Q. Do you know who these people were?—A. Frank and William Bush, the owners of the land. William Bush was not an owner, but Frank was. William Bush was the agent for his wife and did all the business connected with the estate which belonged to his wife. Her name was Mollie Bush.

Mr. Haffa said he was a friend to any one, be he black or white, that was deserving of his friendship. Then they said to him, "We understand that you are a friend of the nigger," using profane language; and they made some other remarks, I don't remember what; but they went away, and a short time after that they came back and inquired for him. He was not in; he was out in the field. They went out there where he was, and my little boy, who was out there, said that they used some insulting language toward Mr. Haffa, and that they threatened him. He came in very much excited from the field and said to me, "Mamma, I am afraid there will be difficulty here."

ELECTED JUSTICE OF THE PEACE.

Then the colored people nominated him for squire—magistrate—and he received his appointment from Governor Alcorn, who was then governor of Mississippi. That raised the indignation of the white people. They declared no northern man should

come down there and rule them. So they sent up a number of petitions to have him removed. Governor Alcorn said there was nothing against him that he could find out, and unless there was something else against him than his birth he could not do anything, as long as it was the desire of the majority of the people, who are colored people.

So then he fulfilled his office for two years, and the first election came on and he was renominated for the same position, and he was elected by the people at that time. Then he had occasion to have some business with these people, the Bushes.

MR. HAFFA LASHED.

Q. Was it private or public business?—A. I have forgotten now; I cannot say. They came to the house one Saturday afternoon; I don't know what time it was, but anyhow they got the colored people all to leave the premises except one, an old colored woman; she could not get away. They came to the house and asked me if Mr. Haffa was in. I said, "Yes." They said they wanted to see him. I went to the door as usual—I always went to the door when there was white people come around, for I was very much afraid of them myself.

So they got him out by a tree a short distance off, and they had hitched their horses to that tree. I watched them, and they took a cowhide and commenced to lash him very freely with it. I ran out and grasped him around the waist. They said, "We will show you what southern blood is." Mr. Haffa never said a word. I said, "Mr. Bush, you have a wife in heaven and a child also, here; remember what your fate will be. I am here among strangers." He says, "Well, you have got no business to be down here among such an illiterate class of people."

MRS. HAFFA INJURED.

And, finally, I kept on, and I presume it lasted over an hour, perhaps two hours; and they kept on until they got up to the house, and then Frank Bush took hold of me and threw me violently against a sill in front of the door, and the effects of it I have never got over yet. I was laid up in consequence of it for about a month. I was taken to Jackson, Miss. Senator Caldwell, of Mississippi, a colored man, paid my expenses there, which cost him $50. I was there for a month to be recuperated; I was not able to be home at all; they had no hopes of me.

In the mean time Mr. Haffa had gone to Jackson to make his bond for his position as magistrate for the second term. He was there for a few days and then went back and attended to his business, leaving me there.

HER HUSBAND INSULTED—HER BOY FIRED AT.

Then I went home, and there was nothing of any moment occurred for several months. Then Robinnett, a brother-in-law of these Bushes, met Mr. Haffa coming from the depot with my little boy, who was on a mule, and Mr. Haffa was on a horse. Robinnett came up to Mr. Haffa and took hold of his whiskers, and told him he wanted him to come down off his horse and he would have it out with him there. Mr. Haffa somehow got away from him and put spurs to his horse, and the horse ran, and then Robinnett fired at my little boy.

ATTEMPT AT ASSASSINATION.

Owing to the excitement he could not get out any warrant to have the man arrested, and there was never anything done with him. So, repeatedly after that, the Bushes made attempts at Mr. Haffa, and Mr. Haffa had always somebody with him wherever he went. He had to be guarded by the colored people. Even in going to the stable, which was no farther than from here across the street, he was afraid of his life. One evening after he came home from the depot—he went there generally of a Saturday to get his mail—a son of a member of the board of supervisors—I think he was a supervisor; he was an officer anyhow; his name was Fatheree. I always answered the door if anybody called at night, and, in fact, in the day-time as well as night, for I thought I might do better than Mr. Haffa. He came to the door and says, "Is Mr. Haffa in?" Says I, "Yes, sir." He says, "I wish to see him on business." I said, "Won't you alight and walk in?" He said, "No." I went in and told Mr. Haffa, and I went out with a candle, and he says to me, "Mamma, you go in; it is too cold for you here, you will take cold." The young man says to him, "Send your wife in; I want to talk about business and it is not prudent for ladies to be present." There was a colored woman, a school-teacher, there, standing by me. Mr. Haffa then spoke in a more emphatic manner than usual, for me to go in, and I went to turn around with the candle to go in when this colored woman just shook her head that way, [indicating,] and I said, "I will not go in;" and I turned, and at that moment saw a pistol aimed at Mr. Haffa. He had it cocked, but Mr. Haffa snatched it from his hand, and made him get down off his horse, and put him in the cotton-house and locked him up until next morning. In the morning he knocked at the door and prayed to be let out, and asked Mr. Haffa's pardon, and said he did not intend anything.

Mr. Haffa thought, probably, on account of the feeling, that it would be better to be

lenient than to use harsh means, though he had him in his power; so he let him out; and said he, "Squire, won't you give me my pistol?" It was a small Derringer pistol. Mr. Haffa said, "I don't know that I will." He said, "Will you give it back to me, please? I will promise you I won't do any such thing as that again, and I am very sorry for it, but I was put up to do it." Mr. Haffa said, "Who put you up to do it?" and he would not say who it was; and he gave him back his pistol, and he went home.

Two or three days after that his mother called on me—Mr. Haffa was absent at the time—and made an apology to me for the conduct of her son. Mr. Haffa says, "We will think nothing about it; we will let it slide, as long as he made reparation for it. In that way probably I can overcome them by kindness."

MRS. HAFFA TEACHES SCHOOL AND ADVISES COLORED VOTERS.

Then he came on North here and remained a year, and left me there as teacher. I have been teacher there ever since the public schools have been in vogue. The schoolhouse was only twenty or thirty yards from my house, and we held all our club meetings there, and in the absence of Mr. Haffa I attended to the business of the colored people; was their secretary part of the time, and I did various other things for them.

During the election of McKee the colored people waited on me and asked me if I would persuade them to vote for McKee. They left it all to me whether he was the right kind of a man for them to have to represent them in Congress. I had heard Mr. Haffa speak very happily of Mr. McKee as well as several of his intimate friends at Jackson, one of whom, I think, was Captain Fisher; so I said to them, "Vote for McKee; vote the republican ticket straight through; don't allow anything to influence you against voting that ticket." They had implicit confidence in me from the fact of my being there so long; and they always consulted me in every respect during Mr. Haffa's absence.

I taught day-school and night-school up to the day of Mr. Haffa's murder. He came back, I don't remember exactly what time, but I think it was in May—April or May, somewhere.

MR. HAFFA TEACHES SCHOOL.

Q. How long ago was it?—A. I think it was three years ago last May, if my memory serves me right. The colored people waited on him and asked him if he would take their school to teach, about seven miles from there. He said he did not know whether he would or not. They asked him if he would take an office at the next election. Said they, "We are determined to have you somewhere, because we are afraid we are going to lose you. We are very much afraid of that, and you have got to remain here with us."

He always consulted me in every question; said he; "Mamma, what would you advise me to do?" Said I, "Do just as you think best. If you think it will be remunerative, perhaps you had better take the school." He said he would give them an answer. So they came again, and he finally determined to take the school, and he taught the school up to the time he was assassinated.

WARNED OF IMPENDING DANGER.

The school closed on Friday, and the public school was opened the following Monday; and on Monday, the 6th of September—I have forgotten whether it was between two and three or three and four o'clock in the morning—but my affidavit that I made out in Jackson has the precise time, but I have forgotten now. There was a number of colored people waited on Mr. Haffa on the Sunday before. He attended their Sunday-school, and always preached there Sunday for the colored people; and he came back and they said to him, "Squire, don't you feel afraid of your life? Don't you feel timid?" He said, "No; I am not timid." They said that the white people said they were going to destroy very many, and that they were not going to escape a limb, and that he was mentioned as one of them. Said he, "O, no; there is so much braggadocio about them, I don't suppose they will harm me now, after we have been living here so many years, and they have attempted it so often."

A FEDERAL OFFICER APOLOGIZES FOR HIS NEGLECT OF DUTY.

I neglected to say that when we were first struck, how he would take it to court, and a gentleman that has a United States position, he came to him and apologized for not doing his duty to him. I think he is now United States marshal. When we first went there he was sheriff, and the Bushes were wealthy, and he said, "Mr. Haffa, it is no use for you to be butting yourself against the bricks while you have no money and the Bushes are wealthy, and you might as well drop the case right away, for you can't gain anything."

But Mr. Haffa laid his damages at $10,000. I heard Mr. Haffa say that himself; and he got defeated out of it. Through Mr. Lake not sending the papers to the proper place at the circuit court our damages were all lost and we never got anything.

When the election came around again Lake came to Mr. Haffa and apologized to

him. He said, "I am very sorry for what has happened; it was my fault that those papers did not reach their destination." Says Mr. Haffa, "Is it so?" Says he, "Yes."

Q. Do you remember Mr. Lake's first name?—A. No, sir. They told me that he had a position there when I was in Jackson.

THE ASSASSINATION OF MR. HAFFA DESCRIBED.

We were aroused by the barking of our dog furiously, on the morning of the 6th of September. I holloed, "Who is there?" and no answer. I repeated it, and there was no answer. And then Mr. Haffa got up and said, "Who is there?" They said, "We will let you know who is there;" or, "You will know who is there," or something to that effect; and I said, "My God! they have the yard full of men." I presume there were from 50 to 75 men barricading the whole of the house. And they had not only armed themselves with one or two weapons, but they had some of them half a dozen, because I could see them. They had them buckled around them, besides the musket that they carried.

They tried to unfasten the door to get in, but we had a small crevice where we could insert our foot between the door and the sill, and I inserted my foot between the door and the sill and kept the door closed, and they could not get in. My daughter assisted me also. Finding they could not get in, they finally took one of the fence-rails and broke the door down and part of the furniture; and we were holloing all the time, "Murder! murder!" and no one came to our assistance. They could hear me hollo murder for about two miles, as the neighbors told me afterward. Finally, Mosely, the agent of the Singer sewing-machine, came up to me and choked me, and held a revolver close to my head. Before he choked me I said, "I am not afraid; if you will take me and spare my husband that is all I ask." And Mosely said to me, when I called his name several times, "Sh—! sh—!" I had a nursing-baby then, and it was lying on the bed, screaming. After I was choked so I could not hollo any longer, my daughter came, and she left me and went over to her father; and they broke a shutter off the window and fired at Mr. Haffa; and my little boy told me yesterday—I have him at boarding-school, at least at a house out in Germantown—he said that he would take oath any time that it was Jimmy Whitehead who fired one of the shots at Mr. Haffa; and Sid. Whitehead, the owner of the land that we rented our land from, he had threatened Mr. Haffa's life several times, which the children know of.

They fired twice, and I went to him, and he asked me to take him to the bed; so my daughter and I assisted him to the bed; and—we had no light: it was utter darkness there—and says he to me, "Mamma, I want water." As soon as I could get a light I gave him water and laid him down, and ran out for assistance, and sent my little boy over to some colored people, and they came rushing over.

Finally Sid. Whitehead came along and refused to let me have a physician; he said it was no use, that he would die anyhow. Mr. Haffa spoke as strongly as I am speaking, and he asked for water, and that was all he asked for. He said, "Mamma, I am going to die," and he asked God to have mercy on his soul, and he laid his head on my shoulder and expired.

THE WIDOW FORCED TO DENY THAT SHE KNEW ONE OF THE ASSASSINS.

So after the colored people had laid him away I said to Mr. Sid. Whitehouse, "Moseley is the one that choked me; and he held a revolver at my head;" and Sid. Whitehouse said, "You know Mr. Moseley was not here." I said, "Yes, sir; he was;" and he spoke out—that is Jimmy Whitehead—to say that I had to recall those words for the sake of my life. They made me recall it, and say it was not him.

PROFANE LANGUAGE—ABUSE OF NORTHERN PEOPLE—A COFFIN REFUSED.

They came there together and set up the first night—Whitehead and two or three other gentlemen, and they did nothing but use profane language all the time, and abuse the northern people. They said that they would show them that they were fully armed now and ready for war at any time, and that they could not rule over them and do as they pleased with them.

They would not allow me to have a coffin for him at all. Colonel Griffin, formerly United States Senator here—so he told me—he came and said, "Mrs. Haffa, I regret this very much." Says he, "I cannot get a coffin for you, for they won't allow any travel through."

Do you want to know anything about the other men that were assassinated the same day?

ASSASSINATION OF A FATHER AND SON.

Q. If you know any others you may specify them. You have not yet given the date of the night when this took place?—A. This was the 6th of September, 1875. Well, after Mr. Haffa was gone, the colored people, who were very friendly toward us, all the colored people, they were there, and they said, "Well, I would like to see any one come to my house and kill me in as brutal a manner as they did the squire. We have lost

our best friend." The names of the people who said this were Stevens; and his wife said, "I must go home." He says to her, "Yes, you better go home, for I will be the next one." Mr. Whitehead said, "Dolph"—his name was Adolph—"you better be careful how you talk, or the men will be after you."

So about 11 o'clock these men came back to see if Mr. Haffa was gone, and they were looking like hungry wolves; the most fiendish-looking men I ever saw. They said, "Any colored people secreted about your premises here?" Says I, "No, sir." There was nobody in the house then but my children and Mr. Haffa. I said, "There is nobody here, but you are privileged to come in and examine the premises, and look up the chimney." Two of them alighted, and came in and looked around, and they said that was all they wanted to know.

They went over to these colored people's houses, and took the Stevenses, father and son, out, and stood them on a stump and shot them, and killed them instantly.

Q. Did you know these people who came to your house the last time?—A. No, sir; I could not know them.

Q. Were they disguised in any way?—A. No, sir; not the last time, they were not; the first time they were disguised. They did not give them any warning, any more than they did Mr. Haffa, when they came in the house and took them out.

They said they had a large day's work on hand, and that they had to commence early; and during that day they perpetrated a number of murders. They were after Senator Caldwell, but I don't know whether they got him at that time or not; I never found out.

THE WIDOW ORDERED TO LEAVE.

Mr. Whitehead then gave me ten days' notice to leave; and so the colored people harbored me. I could not get away from there, as no one came in and out of the depot, for they were afraid to go there.

Mr. Haffa was buried in a rude box, and just the colored people and my son went along. He was just wrapped up in a sheet; they would not allow it in any other way.

Mr. Whitehead said that I must leave, that we were looked upon as spies here. The colored people harbored me until I got a conveyance to take me to the depot. Finally, there was a man, an intimate friend of Mr. Haffa's, came out with three pistols belted around him, and said he would take us in.

THE COLORED PEOPLE DISARMED.

They disarmed all the colored people through the country there, took their arms from them, and would not allow them to have any; and before I left for the depot they made the colored people break up their clubs, and every one of them joined the democratic clubs; they compelled them to do so or their life, one or the other. They were given ribbons, and I could see them marching along to the democratic clubs at Auburn and Utica; they went to and fro.

CAPTAIN MONTGOMERY GIVES HELP.

We went to the depot, and there they sent for Captain Montgomery. I had no money, and I was obliged to leave everything; I had not even a change of clothing; and Captain Montgomery raised me a purse of between thirty and forty dollars, and I went to Jackson. I had to make some purchases there for the children; and after I got there I was taken into Mr. Wolf's house, the superintendent of education, and his family received me very kindly. He was an intimate friend of Mr. Haffa's, and he said he would do all he could for me; but he could not have me there at his house at all, because his life would be in jeopardy; but said that he would call on the governor, and that he would send his officials around to take my affidavit, and he would secrete me at the hotel and pay my board while I was there. This is the document that he drew up, [exhibiting paper.]

And he went around among the republican members of the government, and he was chagrined at the republicans not doing more than they did. Governor Ames donated $5 and gave me a ticket half-way to Cincinnati; and after I arrived at Cincinnati with my three children I had to beg my way on to Philadelphia. I was only a few hours at Mr. Wolf's house, and then was taken to the hotel there.

Q. How many children have you?—A. I have two; I have lost my baby.

Q. What is your age?—A. Thirty-eight.

The story of the murder of Square Hodge, a colored man, Sunday morning, September 5, is thus told by his wife:

ASSASSINATION OF SQUARE HODGE.

JACKSON, MISS., *June* 19, 1876.

ANN HODGE (colored) sworn and examined.

By the CHAIRMAN:

PERSONAL STATEMENT.

Question. How old are you?—Answer. Eighteen years old.

Q. Have you been married?—A. Yes, sir.

Q. What is your husband's name?—A. Square Hodge.
Q. Where do you live now?—A. Eight miles below Raymond.
Q. Do you know anything about the Clinton riot last September?—A. I was not there. I know my husband came home; he was there.
Q. What day of the week was that?—A. On Saturday. The riot was on Saturday.
Q. Did your husband come home to your place?—A. Yes, sir; he came home Saturday night, in the night.
Q. Was he hurt?—A. He was shot in the arm.
Q. Could he use his arm?—A. No, sir; he could not use it at all. He had it in a sling.
Q. Did he tell you how he got hurt?—A. Only that he got shot. That is all he told me.
Q. Did he stay at home that night?—A. Yes, sir.

WHITE PEOPLE CAME FOR HIM.

Q. On Sunday morning what happened?—A. The white people came there after him in the morning.
Q. Who were they?—A. Henry Quick, Willy Locke, Bryan McDonald, John McDonald, George Allen, John McNeir, and Allen Grafton came.
Q. Any more?—A. No, sir; I did not know any more. Two or three, I didn't know them.
Q. Did they have horses or come on foot?—A. All riding.
Q. On horses?—A. Yes, sir.
Q. Did they have any guns?—A. Yes, sir; guns and pistols.
Q. They came to your house?—A. Yes, sir.
Q. Who was in the house besides yourself?—A. Me and my brother there and another brother.
Q. Who is he?—A. John Jones.
Q. Who else?—A. My other brother, Lewis, and brother William, and my mother and little children.
Q. How many children?—A. Five of them.
Q. Have you any children yourself?—A. Yes, sir; I have two.
Q. Did these men come in the house?—A. Allen Grafton and John McNeir came in. The rest staid around the house.

THEY FIND HODGE.

Q. What was done?—A. They made my brother come out from under the bed—my brother John—and asked where Square was, and said, "Is he in the room?" and I did not tell, and said I did not know, at first. Then he asked if they had been at the Clinton riot, and I said that I did not know. Then he said, "If you don't tell, I will shoot your God damned brains out." They made him come out from under the bed, and started to shoot under the house—mother put the children under the house; she was scared and put the children under the house, and they gone around. There is two doors in the house. They had pistols pointed under the house, and I told them that nobody was under but the children. Then they came into the house, but could not find Square, and they went out right where he was, and snatched off the weather-boards, only one in the room, and the other went outside the door and snatched the weather-board and turned back the bed, and made him come out, and called him a damned son of a bitch, and said he must come with them. Mr. Quick says, "I told you this; if you had listened to me you would not have come to this," and they told him to put his shoes on, and I got them and said I will put them on; and I had to put them on and could not tie them very well; and some one said, "Let the God damned shoes be; he don't need any shoes." I put my brother's coat on him, and they carried him before them.
Q. On the horse?—A. No, sir; he walked before them away toward Raymond.
Q. Now what happened?—A. Nothing else.

"THEY KILLED HIM."

Q. What became of your husband?—A. They killed him. I never did find him for a week, until the next Saturday.
Q. Where did you find him?—A. Near about a mile and a half to the last bridge to Raymond, in the swamp.
Q. Who found him?—A. A colored man who was running off, keeping out of the way of the rebs, too, and he come across the body, and went and got a spade, and dug a hole and put a blaze on the trees all the way out, and then we got the news; and Mr. Quick he took and made a box for us, and he loaned us a wagon, and we went after him that Saturday.

THE BODY FOUND.

Q. You found his body?—A. The buzzards had eat the entrails; but from the body down here [indicating] it was as natural as ever. His shoes were tied just as I had tied them. The skull bone was on the outside of the grave, and this arm was out slightly and the other was off. Some we didn't find. We picked up the rings of the

backbone. We got the pocket-book, and there was the hat hanging up, and this ring was put on the tree and the black one was on the ground; this one.

By Mr. BAYARD:

Q. Did you ever take an oath before?—A. No, sir.
Q. Do you know the meaning of taking an oath?—A. No, sir.
Q. Do you know what the consequences are of swearing falsely?—A. No, sir.

ASSASSINATION OF SENATOR CALDWELL.

An equally horrid crime was the murder of Senator Caldwell and his brother, at Clinton, Christmas night. A history of the events of that evening is given by Mrs. Caldwell, which we here quote in her own words.

Mrs. MARGARET ANN CALDWELL (colored) sworn and examined.

By the CHAIRMAN:

Question. What is your name?—Answer. Margaret Ann Caldwell.
Q. Where do you live?—A. In Clinton, Hinds County.
Q. Was Mr. Caldwell, formerly senator, your husband?—A. Yes, sir.
Q. What was his first name?—A. Charles.
Q. When did he die?—A. Thursday night, in the Christmas. Him and his brother was killed.
Q. You may state to the committee what you know of his death.—A. I know when he left the house on the Thursday evening, in the Christmas, between dark and sundown. In the beginning of the day he was out on his fox-chase all day. The first commencement was an insult passed on his nephew, and he came out home.

STORY OF HIS ASSASSINATION.

Q. Who was that?—A. David Washington; he is in Washington City now. He is there in business; watchman in the Treasury Department now; has been ever since October, I think. So they picked a fuss; Waddy Rice in George Washington's blacksmith shop in Clinton. They commenced talking this way: I think David said they asked, "How many did he kill on the day of the Moses Hill riot? Who did he shoot?" David said that he did not know as he shot anybody; said he didn't know that he shot anybody. They told him, he said, "he came there to kill the white people, and if he did, to do his work in the day, and not to be seeking their lives at night." David came immediately back to my house. His uncle was at the fox-chase. I said, "Don't go out any more. Probably they are trying to get up a fuss here."

His uncle sent him down for something. He staid in the house until he came.

That was about four o'clock in the evening, and some one had told about the fuss picked with his nephew, and he walked down town to see about it, I suppose. He was down town a half hour, and came back and eat his dinner, and just between dark and sundown he goes back down town again. He went down town knocking about down there. I do not know what he was doing down there, until just nearly dusk, and a man, Madison Bell, a colored man, came and says, "Mrs. Caldwell, you had better go down and see about Mr. Caldwell, I think the white folks will kill him; they are getting their guns and pistols, and you had better go and get your husband away from town."

I did not go myself; I did not want to go myself, but went to Professor Bell and said would he go and get him. Mr. Bell went, and he never came back at all until he came back under arrest.

I was at my room until just nearly dark.

The moon was quite young, and the chapel bell rang.

We live right by it. I knew the minute the bell tolled what it all meant.

And the young men that lived right across the street, when the bell tolled, they rushed right out; they went through the door and some slid down the window and over they sprang; some went over the fence. They all ran to the chapel and got their guns. There was 150 guns there to my own knowing; had been there since the riot, at the Baptist chapel. They all got their guns.

I went down town, and then all got ahead everywhere I went; and some of them wanted to know who I was, but I hid my face as well as I could. I just said "woman," and did not tell who I was.

As I got to town I went to go into Mr. Chilton's store and every store was closed just that quick, for it was early, about 6 o'clock. All the other stores were closed. Chilton's was lit up by a big chandelier, and as I went over the lumber-yard I saw a dead man. I stumbled over him, and I looked at him, but I did not know who it was, and I went into Chilton's, and as I put my foot up on the store steps, standing as close maybe a few feet, (everything was engaged in it that day,) there was Judge Cabinis, who was a particular friend of my husband; a particular friend to him. He was standing in the center with a gun with a blue strap, in the center of the jam; and as I went to go in they cussed me and threatened to hurt me, and "make it damned hot

for me," and the judge among the balance; but he said he didn't know me afterward And they all stood; nobody would let me go in; they all stood there with their guns.

I know there was two dead men there, but I did not think it was my husband at the time.

I stood right there, and as I stood they said to me, "If you don't go away they would make it very damned hot for me;" and I did not say anything, and walked off, and walked right over the dead man. He was right in my path where I found the body. He was lying broadside on the street. I did not know who he was. I then stooped and tried to see who he was, and they were cursing at me to get out of the town, to get out.

Then I went up, and there was Mrs. Bates across the street, my next-door neighbor. I seed her little girl come up by us and she said, "Aunt Ann, did you see my uncle here?" I said, "I did not. I saw a dead body on the street; I did not see who he was." She said, "What in the world is going on down town?" Says I, "I don't know, only killing people there." She says, "Aaron Bates's hand is shot all to pieces, and Dr. Bangs is killed." He was not killed, but was shot in the leg; nobody killed but my husband and brother.

I went on over to the house, and went up-stairs and back to my room and laid down a widow.

After I had been home I reckon three-quarters of an hour, nearly an hour, Parson Nelson came up—Preacher Nelson—and he called me. I was away up-stairs. He called several times, and I heard him call each time. He called three or four times, and says, "Answer; don't be afraid; nobody will hurt you." He says, "Don't be afraid; answer me;" and after I had made up my mind, I answered him what he wanted; and he said, "I have come to tell you the news, and it is sad news to you. Nobody told me to come, but I come up to tell you." I didn't say anything. "Your husband is dead," he said; "he is killed, and your brother, too, Sam."

I never said anything for a good while. He told me nobody would hurt me then; and when I did speak, says I, "Mr. Nelson, why did they kill him?" He says "I don't know anything about it." He said just those words: "I don't know anything about it." He says, after that, "Have you any men folks about the place?" I says, "No." He says, "You shan't be hurt; don't be afraid of us; you shan't be hurt."

I never said anything whatever. He went off.

Sam's wife was there at the same time with three little children. Of course it raised great excitement.

After a length of time, Professor Hillman, of the institute, the young ladies' school or college, he brought the bodies to the house; brought up my husband, him and Frank Martin. Professor Hillman and Mr. Nelson had charge of the dead bodies, and they brought them to the house; and when they brought them, they carried them in the bed-room, both of them, and put them there; they seed to having them laid out, and fixed up, and all that.

Mr. Nelson said in my presence, I listened at him, he said, "A braver life never had died than Charley Caldwell. He never saw a man died with a manlier spirit in his life."

He told me he had brought him out of the cellar.

You see when they had shot Sam, his brother, it was him who was lying there on the street. They shot him right through his head, off of his horse, when he was coming in from the country, and he fell on the street. He was the man I stumbled over twice. I did not know who he was. When they shot him, they said that they shot him for fear he would go out of town and bring in other people and raise a fuss. He found out, I suppose, that they had his brother in the cellar, so he just lay there dead; he that was never known to shoot a gun or pistol in his life—never knew how.

Mr. Nelson said that Buck Cabell carried him into the cellar; persuaded him to go out and drink; insisted upon his taking a drink with him, and him and Buck Cabell never knowed anything against each other in his life; never had no hard words. My husband told him no, he didn't want any Christmas. He said, "You must take a drink with me," and entreated him, and said, "You must take a drink." He then took him by the arm and told him to drink for a Christmas treat; that he must drink, and carried him into Chilton's cellar, and they jingled the glasses, and at the tap of the glasses, and while each one held the glass, while they were taking the glasses, somebody shot right through the back from the outside of the gate window, and he fell to the ground.

As they struck their glasses, that was the signal to shoot. They had him in the cellar, and shot him right there, and he fell on the ground.

When he was first shot, he called for Judge Cabinis, and called for Mr. Chilton; I don't know who else. They were all around, and nobody went to his relief; all them men standing around with their guns. Nobody went to the cellar, and he called for Preacher Nelson, called for him, and Preacher Nelson said that when he went to the cellar door he was afraid to go in, and called to him two or three times, "Don't shoot me," and Charles said, "Come in," he wouldn't hurt him, and "take him out of the

cellar;" that he wanted to die in the open air, and did not want to die like a dog closed up.

When they taken him out, he was in a manner dead, just from that one shot; and they brings him out then, and he only asked one question, so Parson Nelson told me—to take him home and let him see his wife before he died; that he could not live long.

It was only a few steps to my house, and they would not do it, and some said this.

Nelson carried him to the middle of the street, and the men all hallooed, "We will save him while we've got him; dead men tell no tales." Preacher Nelson told me so. That is what they all cried, "We'll save him while we got him; dead men tell no tales."

Whether he stood right there in the street while they riddled him with thirty or forty of their loads, of course, I do not know, but they shot him all that many times when he was in a manner dead. All those balls went in him.

I understood that a young gentleman told that they shot him as he lay on the ground until they turned him over. He said so. I did not hear him.

Mr. Nelson said when he asked them to let him see me they told him no, and he then said, taking both sides of his coat and bringing them up this way so, he said, "Remember when you kill me you kill a gentleman and a brave man. Never say you killed a coward. I want you to remember it when I am gone."

Nelson told me that, and he said that he never begged them, and that he never told them, but to see how a brave man could die.

They can find no cause; but some said they killed him because he carried the militia to Edwards', and they meant to kill him for that. The time the guns were sent there he was captain under Governor Ames, and they said they killed him for that; for obeying Governor Ames.

After the bodies were brought to my house, Professor Hillman and Martin all staid until one o'clock, and then at one o'clock the train came from Vicksburgh with the "Modocs." They all marched up to my house and went into where the two dead bodies laid, and they cursed them, those dead bodies, there, and they danced and threw open the melodeon, and sung all their songs, and challenged the dead body to get up and meet them, and they carried on there like a parcel of wild Indians over those dead bodies, these Vicksburgh "Modocs." Just one or two colored folks were sitting up in the room, and they carried on all that in my presence, danced and sung and done anything they could. Some said they even struck them; but I heard them curse and challenge them to get up and fight. The Vicksburgh Modocs done that that night. Then they said they could not stay any longer.

Then the day after that Judge Cabinis asked me was there anything he could do, and I told him, I said, "Judge, you have already done too much for me." I told him he had murdered my husband, and I didn't want any of his friendship. Those were the words I told him the next day, and he swore he did not know me that time; but I saw Judge Cabinis with this crowd that killed my husband. I saw him right in the midst, and then he made his excuse. He said he did everything he could for Charles, and that he was crazy. Well, they could not tell anything he had done.

They said Aaron Page was shot during the fuss.

In the league that was held here in that town, that day my husband was buried, they all said that he did not shoot him. They said that Aaron Page was shot accidentally; that my husband did not kill him. All started up from picking a fuss with his nephew.

As for any other cause I never knew; but only they intended to kill him because for carrying the militia to Edwards'; for obeying Governor Ames; and that was all they had against him.

THE MODOCS AFTER THE CLINTON RIOT.

At the same time, when they had the Moss Hill riot, the day of the dinner in September, when they came over that day, they telegraphed for the Vicksburgh "Modocs" to come out, and they came out at dark, and when they did come, about fifty came out to my house that night; and they were breaking the locks open on doors and trunks; whenever they would find it closed they would break the locks. And they taken from the house what guns they could find, and plundered and robbed the house. The captain of the Vicksburgh "Modocs," his name is Tinney.

Q. What day was that?—A. The day of the Moss Hill riot, in September.

THREATS AGAINST MR. CALDWELL AFTER THE CLINTON RIOT.

Q. When; the Clinton riot?—A. The 4th day of September. They came out, and Tinney staid there, and at daybreak they commenced to go, and he, among others, told me to tell my husband that the Clinton people sent for him to kill him, and he named them who they were to kill—all the leaders especially, and he says, "Tell him when I saw him"—he was gone that night; he fled to Jackson that evening with all the rest—"we are going to kill him if it is two years, or one year, or six; no difference; we are going to kill him anyhow. We have orders to kill him, and we are going to do it, because he belongs to this republican party,

and sticks up for these negroes." Says he, "We are going to have the South back in our own charge, and no man that sticks by the republican party, and any man that sticks by the republican party, and is a leader, he has got to die." He told me that; and that the southern people are going to have the South back to ourselves, and no damned northern people and no republican party; and if your husband don't join us he has got to die. Tell him I said so." I told him what he said. I did not know Tinney at the time; and when I saw my husband enter I told him, and he knew him from what I said, and he saw him afterward and told him what I said. He just said that he said it for devilment. They carried on there until the next morning, one crowd after another. I had two wounded men. I brought them off the Moss Hill battle-field, and these men treated me very cruelly, and threatened to kill them, but they did not happen to kill them.

CLINTON RIOT.

Next morning, before sun up, they went to a house where there was an old black man, a feeble old man, named Bob Beasley, and they shot him all to pieces. And they went to Mr. Willis's and took out a man, named Gamaliel Brown, and shot him all to pieces. It was early in the morning; and they goes out to Sam. Jackson's, president of the club, and they shot him all to pieces. He hadn't even time to put on his clothes. And they went out to Alfred Hastings; Alfred saw them coming. And this was before sun-up.

Q. This morning after the Clinton riot?—A. On the morning of the 5th, and they shot Alfred Hastings all to pieces, another man named Ben. Jackson, and then they goes out and shoots one or two farther up on the Madison road; I don't know exactly; the name of one was Lewis Russell. He was shot, and Moses Hill. They were around that morning killing people before breakfast. I saw a young man from Vicksburgh that I knew, and asked him what it all meant.

Q. Who was he?—A. Dr. Hardesty's son; and I asked him what did it mean, their killing black people that day? He says, "You all had a big dinner yesterday, and paraded around with your drums and flags. That was impudence to the white people. You have no right to do it. You have got to leave these damned negroes; leave them and come on to our side. You have got to join the democratic party. We are going to kill all the negroes. The negro men shall not live." And they don't live; for every man they found they killed that morning, and did not allow any one to escape them, so he said. So he told me all they intended to do about the colored people for having their dinner and parading there, and having their banners; and intended to kill the white republicans the same. Didn't intend to leave any one alive they could catch, and they did try to get hold of them, and went down on Monday morning to kill the school-teacher down there, Haffa, but he escaped. Jo Stevens and his son, Albert Stevens, I believe, was his name—they just murdered them right on through. These people staid there at the store and plundered it, and talked that they intended to kill them until they got satisfaction for three white people that was killed in that battle here. I can show who was the first white man that started the riot; and I can show you I have got his coat and pants, and I can show you how they shot him. They blamed all on my husband; and I asked what they killed Sam for; asked Dr. Alexander. They said they killed him because they were afraid he would tell about killing his brother. They killed my husband for obeying Governor Ames's orders, and they cannot find anything he did. He didn't do anything to be killed for. Then they have got his pistols there and they won't give them to me. I have asked I don't know how many times.

The outrages were generally confined to the republican counties where it was necessary to overcome the republican majority by unlawful means, but in two or three counties, as Wilkinson and Issaquena, there was comparative peace at the election and during the canvass.

Capt. William A. Montgomery, a leading democrat and a commander of five military companies, with the designation in rank of major of battalion, testified that in some of the counties there was no military organization; that in those counties the democrats did not try to carry the election. This appears to have been true of the two counties named; but since the election, namely, in December and May, 1876, great outrages, attended with violence and murder, have been perpetrated, and evidently with the design of overawing the colored voters and preparing them to submit to a democratic victory in the coming election.

The attention of the Senate is directed to the testimony concerning the events in Issaquena County, which took place in the month of December last. A Colonel Ball, an officer in the confederate service during

the war, who at the time of the outrage was officiating as a clergyman, took command of a body of armed and mounted men Sunday morning, December 5, and traversed the country below Rolling Fork during the day; and that night the men of his command took from their homes at least seven unoffending negroes and shot them in cold blood. Within the next two days five other leading negroes were summoned to Rolling Fork, and there compelled to sign a statement by which they became responsible for the good conduct of all the negroes in their vicinity, with the exception of fourteen, who, in fact, by that stipulation, were made outlaws, and, as a consequence, fled from their homes and their families and abandoned their property. (This statement may be found in the testimony of W. D. Brown.) Reference is made to the testimony of W. D. Brown and William S. Farrish, both democrats and participators in the outrages, although they did not admit that they had personal knowledge of the killing of either of the seven men who were massacred on the night of the 5th of December.

(7.) The committee find, especially from the testimony of Captain Montgomery, supported by numerous facts stated by other witnesses, that the military organization extended to most of the counties in the State where the republicans were in the majority; that it embraced a proportion not much less than one-half of all the white voters, and that in the respective counties the men could be summoned by signals given by firing cannons or anvils; and that probably in less than a week the entire force of the State could be brought out under arms.

(8.) The committee find that in several of the counties the republican leaders were so overawed and intimidated, both white and black, that they were compelled to withdraw from the canvass those who had been nominated, and to substitute others who were named by the democratic leaders, and that finally they were compelled to vote for the ticket so nominated, under threats that their lives would be taken if they did not do it. This was noticeably the case in Warren County, where the democratic nomination of one Flanigan for sheriff was ratified at the republican county convention, held in Vicksburgh, the members acting under threats that if it were not done they should not leave the building alive. Similar proceedings occurred in other counties.

(9.) The committee find that the candidates, in some instances, were compelled, by persecution or through fear of bodily harm, to withdraw their names from the ticket and even to unite themselves ostensibly with the democratic party. J. W. Caradine, a colored candidate of Clay County, was compelled to withdraw his name from the republican ticket and to make speeches in behalf of the democratic candidates and policy. An extract from his testimony is herewith given, as follows:

> They told me that I would have to go round and make some speeches for them; that I had risen up a great element or some kind of feeling in the colored men that they never could get out of them for the next ten years to come with the speeches I had made, and that I had to go around and make some speeches in behalf of them in some way, or else I might have some trouble. They told me if I would do that I could demand some respect among them, and have no further trouble with them.
>
> Q. What did they say would be the consequence if you did not go with them and make speeches?—A. They did not say if I did not do it what would be done, as I remember; but they came to my house and fetched a buggy for me, and told me I had to go with them to make speeches for them. And they said, "You know what has been said and what has been done; you have got to go along if you don't want any further trouble." I then got in and went along with them, and they did not really appreciate my speeches at length; but I went along with them and made three speeches; and they had some fault to find with my speeches at last, but I have never had any trouble with them since.

(10.) The committee find that on the day of the election, at several vot-

ing places, armed men assembled, sometimes not organized and in other cases organized; that they controlled the elections, intimidated republican voters, and, in fine, deprived them of the opportunity to vote the republican ticket.

The most notable instance of this form of outrage occurred at Aberdeen, the shire town of the county of Monroe. At half past nine o'clock on the day of the election a cannon in charge of four or five cannoneers, and supported by ten or twelve men, a portion of the military company of that town, was trained upon the voting-place and kept in that position during the day, while the street was traversed by a body of mounted, armed men under the command of Capt. E. O. Sykes, of Aberdeen. Captain Sykes testified that he did not know the men under his command, but admitted finally that they were probably from Alabama, and that they had come there upon the suggestion or the request of a Mr. Johnson, who was a member, as was also Captain Sykes, of the democratic committee of the county of Monroe.

Captain Sykes had also given orders that the fordways across the Tombigbee River, over which negroes from the east side having a right to vote at Aberdeen must pass, should be guarded by squads from the military company under his command.

During the night preceding the election the draw in the bridge crossing the river was turned, so that there was no passing from the east to the west of the Tombigbee River during the early part of the day of election.

As a matter of fact, the republican voters who had assembled abandoned the polls between 10 and 11 o'clock in the forenoon, and Capt. J. W. Lee, the sheriff of the county and a leading republican, a man who had served during the war in the confederate army, abandoned the polls and took refuge in the jail, of which he was the custodian.

This statement in regard to Monroe County is set forth in detail by Captain Lee, and it is corroborated in all essential parts by Captain Sykes, a democrat, and the principal actor in the events of the day. Similar outrages were perpetrated in Claiborne, Kemper, Amite, Copiah, and Clay Counties.

(11.) The gravity of these revolutionary proceedings is expressed in the single fact that the chairman of the republican State committee, General Warner, owes the preservation of his life on the day of the election to the intervention of General George, chairman of the democratic State committee, as appears from a dispatch sent by General George to Messrs. Campbell and Calhoun, and a reply thereto, both of which are here given:

To CAMPBELL and CALHOUN, *Canton, Miss.:*

If Warner goes to Madison, see by all means that he is not hurt. We are nearly through now, and are sure to win. Don't let us have any trouble of that sort on our hands. He will probably be at his store to-night.

J. Z. GEORGE.

CANTON, 2, 1875.

To General GEORGE:

Your telegram of last night saved A. Warner at Calhoun.

GART. A. JOHNSON.

The circumstances of this affair are given in the testimony of Chase.

The testimony of General Warner, to which attention is invited, gives a detailed account of his experience, showing that the fears of General Warner's friends were well founded, and that the intervention of General George was essential to his personal safety.

(12.) The committee find in several cases, where intimidation and force did not result in securing a democratic victory, that fraud was resorted to in conducting the election and in counting the votes. In Amite County, the legally-appointed inspectors of election, to whom in Mississippi the duty is assigned of receiving and counting the ballots, were compelled by intimidation to resign on the morning of election, in order to secure a fraudulent return. The inspector so forced to resign was a democrat, a man of established character for probity at his precinct—Rose Hill.

"When the voting began," said General Hurst, an eye-witness, "the democratic club drew up in line and demanded that Straum should not act as one of the inspectors of election. They said, 'We don't want you, not because you are dishonest, but because you will not do what we want you to.' He said, 'If that is the case, I will go,' and they got a man by the name of Wat Haynes and appointed him inspector."

General Hurst, who was brigadier general of the State militia in that county, thus explains what resulted:

"When it was time to close the polls I asked one of the inspectors if he wanted a guard placed over the ballots, so that they would be unmolested while they were counting the votes. I thought that he was a very honest, high-minded man. He said, 'I am afraid to count these votes.' He had been notified by this party of Louisianians, and told what they were going to do with the box. Wat Haynes, when I told him I had concluded to place a guard around there that night, said: 'Don't you do it; I want to manipulate that box to-night. We want to carry this thing.'"

The party of Louisianians referred to were a company of outlaws, notorious in that district, whom the democrats had invited to come into that precinct, and who fired at a crowd of colored citizens when they were in line waiting to deposit their votes. About seventy of them were thus driven into the woods.

Nor was this the only precinct at which armed invaders from adjoining States took conspicuous part in the election. It is testified to both by republicans and democrats that they came over from Alabama and helped to swell the democratic vote in the counties adjoining that State.

In Amite County the republican sheriff, the superintendent of education, and other officers were driven into exile as soon as the polls were closed. Here the pretext that the officers were obnoxious to the people, or that the negroes and northern men monopolized the offices, is refuted by the facts that both Parker and Redmond, who were expelled, were offered the democratic nomination for sheriff; that the republican candidates for sheriff, circuit clerk, chancery clerk, treasurer, coroner, and three of the five supervisors were white men, leaving only the assessor and two supervisors to be colored, which, as Mr. Parker remarks, "as four-fifths of the republican voters were black, was the best that we could do." There were only three northern men on the republican ticket, and two of them had married southern women; all the others were natives of the State.

(13.) The evidence shows that the civil authorities have been unable to prevent the outrages set forth in this report, or to punish the offenders. This is true not only of the courts of the State, but also of the district court of the United States, as appears from the report of the grand jury made at the term held in June last, when the evidence of the offenses committed at the November election and during the canvass was laid before that body.

In support of this statement reference is made to the testimony of J.

W. Tucker, and to the letter written by him to Colonel Frazee, as well as to the report made by the grand jury to the Hon. R. A. Hill, judge of the district court for the northern district of Mississippi. (See document evidence, pp. 150, 151; tes. of H. P. Hurst, p. 98.)

(14.) The committee find that outrages of the nature set forth in this report were perpetrated in the counties of Alcorn, Amité, Chickasaw, Claiborne, Clay, Copiah, De Soto, Grenada, Hinds, Holmes, Kemper, Lee, Lowndes, Madison, Marshall, Monroe, Noxubee, Rankin, Scott, Warren, Washington, and Yazoo, and that the democratic victory in the State was due to the outrages so perpetrated.

(15.) The committee find that if in the counties named there had been a free election, republican candidates would have been chosen, and the character of the legislature so changed that there would have been 66 republicans to 50 democrats in the house, and 26 republicans to 11 democrats in the senate; and that consequently the present legislature of Mississippi is not a legal body, and that its acts are not entitled to recognition by the political department of the Government of the United States, although the President may, in his discretion, recognize it as a government *de facto* for the preservation of the public peace.

(16.) Your committee find that the resignation of Governor Ames was effected by a body of men calling themselves the legislature of the State of Mississippi, by measures unauthorized by law, and that he is of right the governor of that State.

(17.) The evidence shows, further, that the State of Mississippi is at present under the control of political organizations composed largely of armed men whose common purpose is to deprive the negroes of the free exercise of the right of suffrage and to establish and maintain the supremacy of the white-line democracy, in violation alike of the constitution of their own State and of the Constitution of the United States.

The events which the committee were called to investigate by the order of the Senate constitute one of the darkest chapters in American history. Mississippi was a leading State in the war of the rebellion, and an early and persistent advocate of those fatal political heresies in which the rebellion had its origin. To her, in as large a degree as to any other State, may be charged justly the direful evils of the war; and when the war was ended the white inhabitants resisted those measures of equality which were essential to local and general peace and prosperity. They refused to accept the negro as their equal politically, and for ten years they have seized every fresh opportunity for a fresh denial of his rights. At last they have regained supremacy in the State by acts of violence, fraud, and murder, fraught with more than all the horrors of open war, without its honor, dignity, generosity, or justice.

By them the negro is not regarded as a citizen, and whenever he finds a friend and ally in his efforts to advance himself in political knowledge or intellectual culture, that friend and ally, whether a native of the State or an immigrant from the North, is treated as a public enemy. The evil consequences of this policy touch and paralyze every branch of industry and the movements of business in every channel.

Mississippi, with its fertile soil, immense natural resources, and favorable commercial position, is in fact more completely excluded from the influence of the civilization and capital of the more wealthy and advanced States of the Union than are the distant coasts of China and Japan. Men who possess capital are anxious to escape from a State in which freedom of opinion is not tolerated, where active participation in public affairs is punished often with social ostracism, always with business losses, and not infrequently, as the record shows, with exile and the abandonment of property, through fear of death.

Consequently, lands depreciate in value, the rewards of labor become more and more uncertain, taxes more and more burdensome, the evils of general disorder are multiplied and intensified, and by an inevitable rule of social and public life, the evils themselves, reacting, increase the spirit of disorder. Unless this tendency can be arrested, every successive chapter in the annals of that State will be darker and bloodier than the preceding one.

This tendency cannot be arrested by the unaided efforts of the peaceful, patriotic, and law-abiding citizens. There is a small body of native white persons, who, with heroic courage, are maintaining the principles of justice and equality. There is also a small body of men from the North, who, with equal courage, are endeavoring to save the State from anarchy and degradation. If left to themselves, the negroes would co-operate with these two classes.

But arrayed against them all are a majority of the white people, who possess the larger part of the property; who uniformly command leisure, whether, individually, they possess property or not; who look with contempt upon the black race, and with hatred upon the white men who are their political allies; who are habituated to the use of arms in war and in peace; who in former times were accustomed to the exclusive enjoyment of political power, and who now consider themselves degraded by the elevation of the negro to the rank of equality in political affairs.

They have secured power by fraud and force, and, if left to themselves they will by fraud and force retain it. Indeed, the memory of the bloody events of the campaign of 1875, with the knowledge that their opponents can command, on the instant, the presence of organized bodies of armed men at every voting-place, will deter the republican party from any general effort to regain the power wrested from them. These disorders exist also in the neighboring States, and the spirit and ideas which give rise to the disorders are even more general.

The power of the National Government will be invoked, and honor and duty will alike require its exercise. The nation cannot witness with indifference the dominion of lawlessness and anarchy in a State, with their incident evils and a knowledge of the inevitable consequences. It owes a duty to the citizens of the United States residing in Mississippi, and this duty it must perform. It has guaranteed to the State of Mississippi a republican form of government, and this guarantee must be made good.

The measures necessary and possible in an exigency are three:

1. Laws may be passed by Congress for the protection of the rights of citizens in the respective States.

2. States in anarchy, or wherein the affairs are controlled by bodies of armed men, should be denied representation in Congress.

3. The constitutional guarantee of a republican form of government to every State will require the United States, if these disorders increase or even continue, and all milder measures shall prove ineffectual, to remand the State to a territorial condition, and through a system of public education and kindred means of improvement change the ideas of the inhabitants and reconstruct the government upon a republican basis.

VIEWS OF THE MINORITY OF THE COMMITTEE APPOINTED TO INVESTIGATE AFFAIRS IN MISSISSIPPI.

On December 15, 1875, the Senator from Indiana (Mr. Morton) submitted the following resolution:

Whereas it is alleged that the late election in Mississippi for members of Congress, State officers, and members of the legislature was characterized by great frauds, violence, and intimidation, whereby the freedom of the ballot was in a great measure destroyed, a reign of terror established, ballot-boxes stuffed, spurious tickets imposed upon voters, so that a popular majority of more than 25,000 was overcome, and in its place was given an apparent but fraudulent majority of more than 25,000; and whereas the legislature thus chosen will have the election of a Senator to represent that State in this body; and whereas if these allegations are true a great number of the citizens of the United States have had their rights under the Constitution and laws of the United States wickedly violated: Therefore,

Resolved, That a committee of five Senators be appointed by the Chair to investigate the truth of the said allegations and the circumstances attending said election, with power to visit said State to make their investigations, to send for persons and papers, and to use all necessary process in the performance of their duties; and to make report to the Senate before the end of this session of their investigation and findings.

He supported its adoption by a series of speeches, the last of which was dated January 19, 1876, the true history and inspiration of which will hereafter be noted in considering the testimony taken before the committee. The resolution slept until the 27th of March, 1876, when an amendment was proposed by the Senator from Michigan (Mr. Christiancy) and accepted by Mr. Morton, as follows:

Whereas it is alleged that the late election in Mississippi (in 1875) for members of Congress and State officers and members of the legislature was characterized by great frauds committed upon, and violence exercised toward, colored citizens of that State and the white citizens disposed to support their rights at the election, and especially that the colored voters, on account of their color, race, or previous condition of servitude, were, by intimidation and force, deterred from voting or compelled to vote, contrary to their wishes, for candidates and in support of parties to whom they were opposed, and their right to the free exercise of the elective franchise, as secured by the fifteenth amendment to the Constitution, thus practically denied and violated, and that such intimidation has been since continued for the purpose of affecting future elections; and

Whereas the people of all the United States have an interest in, and a right to insist upon, the enforcement of this constitutional amendment, and Congress, having the power to enforce it by appropriate legislation, cannot properly neglect the duty of providing the necessary legislation for this purpose: Therefore,

Resolved, That a committee of five Senators be appointed by the Chair to investigate the truth of these allegations, and to inquire how far these constitutional rights have, in the said election, been violated by force, fraud, or intimidation, and to inquire and report to the Senate, before the end of the present session, whether any, and, if so, what, further legislation is necessary to secure to said colored citizens the free enjoyment of their constitutional rights; and that said committee be empowered to visit said State, to send for persons and papers, to take testimony on oath, and to use all necessary process for these purposes.

After debate in the Senate, the resolution was adopted. In the course of this debate, the Senator from Massachusetts (Mr. Boutwell) made the following declaration:

For seventy years the spirit of hypocrisy and misrepresentation dominated over the slaveholding section of this confederacy. They continually presented themselves to the country and to the world as the friends of the Union, and it was a lie from first to last. They were the enemies of the Union; and when the Union did not answer the chief purpose which they had, and the only purpose they had, the preservation of the institution of slavery, they made war upon the Union. The Senator from Delaware was the political supporter and ally and the substantial defender of the men who made

war upon the Union, who clung to the Union for seventy years under the falsehood that they were its friends. They were its enemies all the while. Slavery, the spirit of slavery, is and ever has been the enemy of the Union, and it is so to-day. The troubles in the South are due to the spirit of slavery, and the time has come when I am forced to confess to myself and with reluctance to say here that I do not in my heart believe that any man educated under and obedient to the influence of slavery can be the friend of a Union that is designed to establish and preserve equality. The North will do well to take heed and to trust no man who was brought up under the influence of slavery, controlled by its spirit, and dominated by its power, and is not yet extinct.

The committee, as finally appointed under the resolution, consists of Messrs. Boutwell, (chairman,) Cameron, of Wisconsin, McMillan, Bayard, and McDonald, thus omitting in the organization of the committee the mover or amender of the original resolution. The first meeting of the committee was held on the 27th of April in the Capitol; and, at the second or third meeting, the clerk of the committee, Mr. Bartlett, was appointed stenographer, and Mr. James Redpath, of Massachusetts, was selected in his place as clerk, and has continued with intelligence and efficiency to fill that position, having been present at all the sessions of the committee. On the 29th of April a resolution was offered in the committee by Mr. Bayard that the testimony should be taken with open doors, which was rejected by the committee, Mr. Bayard and Mr. McDonald voting in the affirmative. But a small portion of the testimony has as yet been printed, nor has any report of the committee been made; but Mr. Redpath, the clerk, having had the fullest opportunity of hearing the testimony of the witnesses, and having had charge of all communications to the committee, has been enabled, in advance of the committee, to submit a public report over his own signature, of which the following extract will convey a distinct idea of his views. Speaking of the Union men of the South, or the original whigs, and the vigorous part they took in the contest, he says:

> Still they were Union men; *but the Union they once knew was gone forever.* They tried to begin where they had left off, ignorant of the fact that, while they fought, a moral revolution had been going on in the North; that it was *no longer Webster or Clay, but the man whom they had hanged at Charlestown as a felon, who was now the ideal leader of a regenerated nation.*

These references are made to the utterances of the chairman, and of the clerk selected by him to accompany the committee, and make public impression of affairs in Mississippi, and the remedy to be applied, because it indicated fully to the undersigned that from the first it would be naturally impossible for them, with their ideas of constitutional duty, to subscribe to the deductions of those who, however intelligent or conscientious, started out upon the proposed investigation upon such a platform of ideas.

While writing this report, the undersigned have read with surprise and regret the message of the President of the United States, dated July 31, 1876, transmitting to Congress certain correspondence relating to the murders lately committed at Hamburgh, in South Carolina.

In this message he has seen fit to use the following language:

> But recently a committee of the Senate of the United States visited the State of Mississippi to take testimony on the subject of frauds and violence in elections. *Their report has not yet been made public,* but I await its forthcoming with a feeling of confidence that it will fully sustain all that I have stated relating to fraud and violence in the State of Mississippi.
>
> U. S. GRANT.

In his letter of the 26th of July to Governor Chamberlain he had stated:

> Mississippi is governed to-day by officials chosen through fraud and violence, such as would scarcely be accredited to savages, much less to a civilized and Christian people.

This last statement, come it from whom it may, we pronounce in the face of the testimony taken by this committee, and not yet printed, to be untrue and unwarranted by the facts disclosed.

The tone of animosity to the white people of the South which breathes throughout the President's message and letter is unmistakable. In his message of July 31, six days subsequent to this letter, the President says: "*The report* (on Mississippi) *has not yet been made public.*" Why should he anticipate?

We hold it, and believe it will be so held by right thinking men everywhere, discreditable for the Chief Magistrate thus to have exhibited such evidence of prejudice against any portion of his fellow-citizens.

It adds, however, but another proof to the many given heretofore, that the heart and mind of President Grant are closed to all sense of justice, where his political opponents, especially in the Southern States, are concerned.

Other attempts to forestall public opinion in relation to the affairs in Mississippi have been made, calculated to grossly mislead. Two attempts to fasten obloquy upon one of the undersigned, (Mr. Bayard,) and at the same time to convey unjust impressions against the people of Mississippi may be noted:

[Special dispatch to the Baltimore Sun.]

WASHINGTON, *July* 25.

THE REPUBLICAN REPORT IN MISSISSIPPI.

* * * * *

Another case illustrative of the general conclusions arrived at by the majority of the committee is that of a native of Philadelphia. He settled near Vicksburgh and was with his family. He had been appointed a justice of the peace by the governor of the State, and his wife opened a school for the instruction of the poor. He was subsequently a candidate for office. On one night fifty armed men dashed upon his premises and shot him down without a word of warning, and in the presence of his wife and family. When the story of this wife was told by her own lips to the committee, Senator Bayard, one of the committee, ejaculated, "I don't believe it."

After the murder, according to the report, the assassins hovered about the house and would not permit the wife to enact even the rites of sepulture. They dragged the bleeding corpse from the arms of the distracted woman, pitched it into a pig wallow, and left. Senator Bayard, affected by the narration, repeated, "I won't believe it under oath." The report says that these "banditti," for it states they compare with Italians of the same class, live upon the people. They are dissolute and indolent, generally the sons of planters impoverished by the war, or the remnant of that class of adventurers who fastened upon the institution of slavery as the camp-follower lives upon an army.

Mr. Bayard never even saw the witness referred to, who was examined in his absence, and he never made any statement, even similar in language or character to that so falsely attributed to him. Yet this vicious falsehood has already had wide circulation.

In the New York Times of the 27th of July we find the following letter and preceding comments:

Senator Boutwell has also received a letter from a colored witness who testified in Mississippi, from which it will be seen how the democracy of that State propose to treat those who obeyed the summons of the Senate committee:

"DAER SIR: I having been summon before your investigationg to give a sworne testimony in regard to the late election, which I did, and I told nothing but the truth. Yesterday I was met by an armed mob in the streets of ————, and compelled me to say that I swore a ——— ——— lie. And told me I had either to say that I swore to a ——— ——— lie or leave the city or die. The excitement grew so intense that I was compell to take back what I said before the committee. I was also met by another mob at ———— the same day that I was before the committee and compelled to do the same before I got home. I w'd not be supprised if I were not mob before you receive this letter. If you read this letter where Senator Bayard can hear it he will write down here and let these democrats know it, and I will be murdered as

soon as I appear on the streets. Therefore it will be best fore me fore you to keep this to yourself and other republicans."

Of course every one who knows Senator Bayard will smile at this suspicion, but it shows the state of terrorism still maintained by the banditti of Mississippi.

For what reason and with what intent this letter was so published may be inferred from the letter itself and the editorial use of it.

It will be observed that the committee were instructed by the resolution to inquire into alleged violations of the fifteenth amendment to the Constitution, and the necessity of new and appropriate legislation for its enforcement; and it would seem that the scope of the investigation was intended to have been confined to that object. But in the investigation conducted by the majority, nearly every right and power of the State of Mississippi, heretofore supposed to be among the reserved powers belonging to the States, and not justly subject to exterior control, has been made the subject of the most wide-spread, unrestrained inquiry. The social habits, domestic institutions, personal and individual dealings and contracts, local police arrangements, and whole classes of subjects heretofore supposed to be under the sole control of the State and county governments, and even family affairs, have been made the subjects of inquisition.

The limitations upon the powers of Congress in its relation to the internal affairs of the States have been lately the subject of careful deliberation and adjudication by the Supreme Court of the United States in cases involving the validity of legislation by Congress *in pari materia* with that now proposed by the resolution.

In the recent case of the United States *vs.* Cruikshank, Mr. Chief-Justice Waite delivered the opinion of the court and said:

> We have in our political system a Government of the United States and a government of each of the several States. Each one of these governments is distinct from the other, and each has citizens of its own, who owe it allegiance, and whose rights within its jurisdiction it must protect. The same person may be at the same time a citizen of the United States and a citizen of a State, but his rights of citizenship under one of these governments will be different from those he has under the other. (Slaughter-house cases, 16 Wall., 74.)
>
> Citizens are the members of the political community to which they belong. They are the people who compose the community, and who, in their associated capacity, have established or submitted themselves to the dominion of a government for the promotion of their general welfare and the protection of their individual as well as their collective rights. In the formation of a government the people may confer upon it such powers as they choose. The government when so formed may, and when called upon should, exercise all the powers it has for the protection of the rights of its citizens, and the people within its jurisdiction, *but it can exercise no other. The duty of a government to afford protection is limited always by the power it possesses for that purpose.*
>
> The government thus established and defined is to some extent a government of the States in their political capacity. It is also, for certain purposes, a government of the people. Its powers are limited in number, but not in degree. *Within the scope of its powers*, as enumerated and defined, it is supreme and above the States; *but beyond, it has no existence.* It was erected for special purposes and endowed with all the powers necessary for its own preservation and the accomplishment of the ends its people had in view. *It can neither grant nor secure to its citizens any right or privilege not expressly, or by implication, placed under its jurisdiction.*
>
> The people of the United States resident within any State are subject to two governments, one State and the other National; but there need be no conflict between the two. The powers which one possesses the other does not. They are established for different purposes and have separate jurisdictions. Together they make one whole and furnish the people of the United States with a complete Government, ample for the protection of all their rights at home and abroad. It is the natural consequence of a citizenship which owes allegiance to two sovereignties and claims protection from both. The citizen cannot complain because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each *within its own jurisdiction.*

The Government of the United States is one of delegated powers *alone;* its authority is defined and limited by the Constitution. *All powers not granted to it by that instrument are reserved to the States or the people.* No rights can be acquired under the Constitution or laws of the United States except such as the Government of the United States has the authority to grant or secure. *All that cannot be so granted or secured are left under the protection of the States.*

Then again:

The third and eleventh counts are even more objectionable. They charge the intent to have been to deprive the citizens named, they being in Louisiana, "of their respective several *lives and liberty of person,* without due process of law." This is nothing else than alleging a conspiracy to falsely imprison *or murder* citizens of the United States being within the territorial jurisdiction of the State of Louisiana. The rights of life and personal liberty are natural rights of man. "To secure these rights," says the Declaration of Independence, "governments are instituted among men, deriving their just powers from the consent of the governed." *The very highest duty of the States* when they entered into the Union under the Constitution, was to protect all persons within their boundaries in the enjoyment of *these* "unalienable rights with which they were endowed by their Creator." *Sovereignty for this purpose rests alone with the States. It is no more the duty or within the power of the United States to punish for a conspiracy to falsely imprison or murder within a State than it would be to punish for false imprisonment or murder itself.*

The fourteenth amendment prohibits a State from depriving any person of life, liberty, or property without due process of law, *but this adds nothing to the rights of one citizen as against another.* It simply furnishes an additional guarantee against any encroachment by the States upon the fundamental rights which belong to every citizen as a member of society.

These propositions were unanimously laid down by the court, in considering alleged violations of the *fourteenth amendment* of the Constitution, but are equally applicable to the discussion of the relative powers and duties of the Federal and State Governments under any and all provisions of the Constitution.

In the case of The United States *vs.* Reese, decided at the same time, the court says:

Rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. The form and the manner of the protection may be such as Congress, in the legitimate exercise of its legislative discretion, shall provide. These may be varied to meet the necessities of the particular right to be protected.

The fifteenth amendment does not confer the right of suffrage upon any one. It prevents the States, or the United States, however, from giving preference *in this particular* to one citizen of the United States over another on account of *race, color,* or *previous condition of servitude.* Before its adoption this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, &c., as it was on account of age, property, or education. Now it is not. If citizens of one race, having certain qualifications, are permitted by law to vote, those of another, having the same qualifications, must be. Previous to this amendment there was no constitutional guarantee against this discrimination. Now, there is. It follows that the amendment has invested citizens of the United States with a new constitutional right, which is within the protecting power of Congress.

That right is exemption from discrimination in the exercise of the elective franchise *on account of race, color, or previous condition of servitude. This,* under the express provisions of the second section of the amendment, Congress may enforce by "appropriate legislation."

"The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment. The effect of article I, section 4, of the Constitution, in respect to elections for Senators and Representatives, is not now under consideration. *It has not been contended, nor can it be,* that the amendment confers authority to impose penalties for every wrongful refusal to receive the vote of a qualified elector at State elections. *It is only* when the wrongful refusal at such an election is because of *race, color,* or *previous condition of servitude that Congress can interfere* and provide for its punishment.

* * * * * * *

The courts enforce the legislative will when ascertained, if *within the constitutional grant of power. Within its legitimate sphere* Congress is supreme and beyond the control of the courts, *but if it steps outside of its constitutional limitations and attempts that which is beyond its reach,* the courts are authorized to, and when called upon in due course of

legal proceedings must, *annul its encroachments upon the reserved power of the States and the people.*

* * * * * * *

We must, therefore, decide that Congress has *not*, as yet, provided by "appropriate legislation" for the punishment of the offense charged in the indictment, and that the circuit court properly sustained the demurrers and gave judgment for the defendants."

In subordination to the principles thus laid down by the authority of the tribunal of last resort in our country, the undersigned would have been disposed to confine their investigation to subjects plainly within the jurisdiction of Congress, without infringing upon any of the reserved rights of the State of Mississippi, believing it to be the cardinal feature of our institutions that the equality of the States in the Union must ever be respected, and that any practice which invades so necessary a principle must place in jeopardy not only the rights of a single State, but, in their turn, the rights of all the remaining States; and that a power which is conceded to be applicable to the overthrow of the autonomy of any one State is liable to be used for the destruction of any other State, and that there is no safety for any unless the rights of each are guarded.

The condition of the State of Mississippi is to be considered at three periods of time.

First. In the spring of 1875, before the commencement of the political canvass, in which the alleged outrages upon the rights of citizens, under the fifteenth amendment, are said to have occurred.

Second. Its condition during the election itself, on the 2d of November, 1875; and,

Third. Its condition as discovered by the committee at the time of their visit in June, 1876.

For a proper understanding of the entire case we propose to recite, by the light of the testimony, and supported by its facts, what we believe to have been the true condition of Mississippi in the spring of 1875. At the time of preparing this report, however, but a small part of the testimony has been printed; and although we trust to be enabled to insert the proper references before it is submitted, yet the absence of the printed testimony interferes materially with one of our objects, *i. e.*, to make *no assertions, but to let the witnesses speak for themselves, and to substantiate every fact by reference to its basis.*

It has been said by high authority that it was difficult to draw an indictment against a whole people. Equally difficult is it to establish any rules of evidence that would sustain so vague an indictment. And in the present inquisition it would become plain to all who shall read the depositions and observe the mode of interrogation employed, that every rule which the experience of mankind has established as essential for the regulation of evidence and the ascertainment of truth has been disregarded in the course of this investigation. So that the great bulk of the testimony which has been taken is such as would not be received in any court of justice in this country to convict the meanest culprit of the pettiest offense.

Every rule of evidence followed by courts in the administration of justice has been entirely disregarded. Every rule which experience has shown to be essential for the *elucidation of truth* has been thrown aside, and opinion, hearsay, wild rumor, anything and all things which excitement, prejudice, hate, love, or fear can suggest have been poured in without discrimination or check.

No individual, no community, can be safe against such an order of things.

The usual tests of discrimination between truth and falsehood having been abandoned, the result cannot be satisfactory to any just mind.

The argument that the charge is vague, and against a whole community, only makes the effect worse.

When a false principle is adopted, the wider its application the more dangerous it becomes.

This is observable in the examination from the first witness to the last. Adelbert Ames, the ex-governor of Mississippi, who was called and examined on the 27th of April, and at page 29, on the third day of his examination, in which he had made the most wholesale and sweeping assertions of facts of violence and intimidation, was asked:

Q. You have referred to various acts of violence and intimidation; have you personal knowledge of any of those acts?—A. I never saw an act of violence performed.

Q. Did you ever see an act of intimidation performed?—A. No; I never saw an act of violence performed.

Q. Then what you have said is derived from the information of other people?—A. Yes, sir.

And on page 32—

Q. I ask you, do you know the fact whether there was any resistance to process, when issued, in that State?—A. That statement I have made; I would say that I do not know of any facts of that kind.

And again—

Q. Do you know of a case where process of the courts has been returned with that statement?—A. I do not.

In fact, if the testimony touching the subjects within the scope of the resolution of the Senate could be reduced to such as is receivable under the rules of evidence, as recognized by courts of justice and by this Senate while sitting as a court, the testimony taken in Mississippi by this committee would be confined to a dozen pages of manuscript. The rest is rumor, hearsay, and opinion. Not only so, but nearly all the witnesses examined for what may be termed the prosecution of the white people of the State of Mississippi, were defeated candidates in the election of 1875 or other interested supporters or persons who had lost office and failed of reappointment. Most of the witnesses, when pinned down by cross-examination to give names of persons concerned and dates, were directly and flatly contradicted as to those facts, and many of the occurrences either shown to have been not only untrue, but impossible, or else accompanied by facts which subjected them to a totally different construction.

A large body of these witnesses were negroes of the most ignorant and uncivilized description, who did not hesitate to state anything, and whose declarations were frequently of the wildest and most absurd character. Thus at page 865, in the deposition of Greene Foster, Dr. Holland, of Madison County, is represented as giving utterance to profanity in the following style:

On the day of the election I was one of the peace-officers of the town; was officer of the day. Lee Dinkins, and Dr. Holland, and Gartner Johnson, and Willie McKee, and Emmitt Savage all came down there with their sixteen-shooters and two pistols apiece buckled around them.

Dr. Holland walked up to me and says, "Are you one of the peace-officers to-day?" I said I was.

He says, "If you don't look sharp we will get you; we are going to rid the country of you damned whelps; you are running the niggers, and we are going to carry the polls to-day."

I said, "Doctor, I don't want any fuss, and didn't come prepared for a fuss."

TWO HUNDRED BALLS IN HIS POCKET.

He said, "By God! we came prepared;" and he put his hand in his pocket and pulled out a handful of balls, and said, "I have got two hundred balls in my pocket, and I haven't killed two hundred niggers yet to-day." I said, "I hope you won't kill me."

Whereas, by the deposition of Judge Campbell, of the supreme court, page 926:

Q. Did you know Dr. Holland, of the county?—A. I do; he is the man whose name was connected with that arrest.

Q. What manner of man is he?—A. A very highly respectable man; one of the most amiable, mild-mannered, good-natured men I ever knew.

Q. What is his age?—A. I suppose him to be about forty years of age.

Q. Do you know whether Dr. Holland is a man who is profane in his speech?—A. He is one of the most pious, devoted Christian men I ever knew; remarkable among men in that respect.

Q. Would you believe it possible that Dr. Holland would interlard his conversation with profanity?—A. It is utterly inconsistent with his character, and I should regard it as impossible unless I could hear it, or it was attested by witnesses whose veracity I could not question at all.

and Major Powell, page 872, and Captain Key, at page 918, Dr. Holland is testified to be a gentleman of singular purity and piety, a strict and conscientious professor of religion, and a "pillar" of the Baptist church in his community. See also the case of Miles Walker, page 1132, in Aberdeen, in which Mr. E. O. Sykes and his brother, Mr. T. B. Sykes, the mayor of Aberdeen, both of them professors of religion and gentlemen of the most admitted purity of language and conduct, are described as monsters of profanity.

The case of P. C. Powell a negro, page 888, testifying of Mr. Preasley, the judge of election at Calhoun precinct, in Madison County, rudely taking tickets from colored men, tearing them up and throwing them on the ground in the sight of the witness, is denied by Judge Cunningham, the republican judge of election present on the occasion, by Preasley's own statement, and that of several bystanders. [See page 953.] Witnesses thus set free to state anything and everything that malice could suggest, partisan animosity encourage, and ignorance assist, rendered it difficult to confute, by reason of the vagueness and uncertainty of their statements. The value of the testimony of Ann Hodge, colored, can be readily estimated, page 421:

By Mr. BAYARD:

Q. Did you ever take an oath?—A. No, sir.

Q. Do you know the meaning of taking an oath?—A. No, sir.

Q. Do you know the consequences of swearing falsely?—A. No, sir.

In short, the proverbial difficulty of proving a negative was imposed upon the white people of Mississippi, who, by the ruling of the majority, were not suffered to be present even by their Representatives while the testimony was being taken.

RECONSTRUCTION.

The reconstruction policy of Congress had fully and perfectly forced the institutions of the State of Mississippi into the most entire subjection and conformity with its provisions. What Mississippi was at the time of the last election of Governor Ames in 1873, she was "the work of reconstruction by Congress." The will of her people, their tastes, their prejudices, their virtues, and their faults, had been melted and run into a mold fashioned by the will of Congress alone. If her institutions were defective, if they were not conducive to the ends of good government, if they were arranged with an unwise disregard of the condition and wants of her people, that people are no more responsible than the population of France, for they had no voice. Such as she was in 1873 the Congress of the United States had made her. The State constitution was molded in accordance with the will of Congress. The

legislation under it had been enacted by men placed in power by the Federal Government. The ruling principle of that legislation seems to have been to lead as much power as possible directly into the hands of the Executive, in which the reins were placed. The institution of suffrage was of course the proposed basis, and to control this the machinery of elections was placed absolutely in the hands of the governor, who had the sole power to appoint those officers, who in their turn had the power of appointment of the registrars of every county, who in their turn appointed the election officers throughout the State in their respective counties, and supervised the elections and returns, thus gathering the whole control of elections in a single executive hand.

This was the state of things when Governor Ames took his seat on the 1st day of January, 1874, elected in the month of November previous. There was not an official of the State who was not a member of the republican party. There was not a county official to be appointed by the governor who was not in close affinity with him. In all the republican counties, and all were republican in which negroes were in a majority, every official was a member of the same party. Thus we see that the entire control of the State was in the hands of Governor Ames and his party associates. At page 30 of his deposition the fact is stated by him as follows:

Q. You have stated the violence and intimidation to have existed in the republican counties of the State?—A. Yes, sir.

Q. You have not referred to violence in any but republican counties?—A. No, sir.

Q. Such is the fact, is it not?—A. Yes, sir.

Q. Were not then all these justices of the peace, chancellors, the judiciary, and the machinery for choosing juries, in the hands of the dominant party in those counties?—A. Yes, sir.

Q. I need not ask you if all the United States officers in that State were not members of the republican party; that was so, was it not?—A. Yes, sir.

Q. Then the grand juries and the petit juries, and the judges, and the sheriffs, and the supervisors, by whom the jurors were selected, were all controlled by the dominant party in those counties?—A. They were all belonging to the dominant party.

Of course every official of the Federal Government, district judges, district attorneys, marshals, deputy marshals, supervisors, postmasters, revenue officers, were all of the same party and necessarily active adherents. It may be truly said that there was no trace whatever of official power in the State of Mississippi in the hands of the democratic party until the 1st day of January, 1876.

Now, let us consider into what a condition, social, moral, and financial, Mississippi was brought, in the spring of 1875, under the administration which has just been described. The population of Mississippi, by the census of 1870, had a total of 827,922 souls. Of these 382,896 were white people, 444,201 colored people, and the remainder Indians and persons not classed. The State was divided into seventy-three counties. The negro majority was thus about 60,000, but was distributed chiefly in the rich river counties and on the richer cotton-producing lands of the State, in which they greatly outnumbered the white population, and in these counties their large numerical majority was consolidated.

The domestic institutions of the State had been completely revolutionized, and the relations of the white and black races had not been permitted to adjust themselves into that harmony and good feeling which the interests of both made so essential to happiness and good order. The whites, as the result of the war, were impoverished to a most painful extent, which must impress itself upon any person who visits the State, which presents even to a casual eye unmistakable evi-

dences of widespread and lamentable prostration. This brings with it increased privation to the colored people, who never had property, and who depended, necessarily, upon property-owners for their support. When their employers were ruined the blow fell severely upon the employed. Theirs was a common lot, and that which struck down and crippled the one fell also heavily upon the other.

Unfortunately the new and arbitrary political conditions imposed upon both races by the will of Congress were disturbed by the presence of a class of unscrupulous, needy, and rapacious adventurers who came down to fill the political offices to which prejudice against the southern whites on the part of those who held power in the Federal Government, and the absolute ignorance and incompetence of the negroes prevented those whites from being appointed. The result was, as the testimony everywhere discloses, that the State and Federal offices to which any considerable emolument was attached fell into the hands of white men newly arrived within the borders of the State, ignorant and unsympathetic of the wishes and feelings of the white population, and bent wholly upon using the political material which they found ready at their hands in the shape of masses of ignorant, superstitious, and suspicious negroes to sustain themselves in office and power. Instead of encouraging the colored population to relations of amity and confidence with the whites who gave them employment and furnished them with the means of subsistence, it has been plainly the object and intent of these political adventurers to increase the distrust between the races, and to encourage on the part of the blacks and intensify the instinct and feeling of race opposition. In this, by means of low arts, they have been, unhappily, too successful, and the negroes of the State of Mississippi have been banded together in an unthinking mass, under the lead and blind control of a handful of northern strangers, with here and there a native white man.

Throughout the testimony it is evident the white people of Mississippi, in the interests of the entire community, made every attempt to penetrate this alliance against them, and resorted to every means of combination and alliance with their political opponents to procure even a tolerable and decent administration of public affairs. Since 1868 they had given up their party name and candidates, had voted for Dent, a republican, had voted for Alcorn, a republican, and essayed in every way to appease and mollify the party led by Governor Ames; but all in vain. They witnessed the selection of men either incompetent or criminal, or both, for important offices in the State. They saw their best men, most virtuous, experienced, and able citizens, passed by in contempt. They saw men notoriously vicious, and justly proscribed, taken into the confidence and friendship of Ames and placed in authority. (See the case of William Gray, negro brigadier-general, and his character described by a republican witness, Putnam, p. 1449; see also Samuel W. Ferguson, p. 1474.)

SENATOR WILLIAM GRAY.

Q. Do you know William Gray?—A. I do.

Q. Who is William Gray?—A. He is a colored man that was elected some years since as senator from our district.

Q. When did his term expire as senator?—A. At the last session of the legislature.

Q. He was senator until 1875?—A. Yes, sir.

Q. Was he a candidate for sheriff at the last election?—A. He was talked of as a candidate at the primary election or caucus.

Q. What was Gray's character?—A. It was very bad.

Q. What do you mean by that?—A. I mean bad in every sense that you can take it in, I don't care what it is.

Q. Well, what is it now?—A. It is not any better now.

Q. I want your description of what you mean by very bad man.—A. I will tell you, sir; in the first place, he was unscrupulous; and in the second place, he had no principle, or honor, or truthfulness, or justice, or honesty.

Q. Was he a bloodthirsty man?—A. Rather inclined to be cowardly; he was of a disposition to get others into difficulty.

Q. Was he a quarrelsome man?—A. Rather quarrelsome.

Q. Was he a lascivious man?—A. Yes, sir; reported so.

Q. Was he a dishonest man?—A. I know him to be dishonest.

Q. Was he an untruthful man?—A. Yes, sir.

Q. Was he an illiterate man?—A. He was intelligent for one of his opportunities; he was illiterate.

Q. Could he read and write?—A. He could read and write.

Q. But he was an illiterate man?—A. Yes, sir.

Q. Do you know whether he was commissioned a brigadier-general of militia of this State?—A. I have heard that he was.

Q. Do you know that General Ames commissioned Gray a brigadier-general of the militia of this State?—A. I read of his commission in the official journal.

Q. Was this character that you describe of him a notorious thing?—A. It was notorious in our county, but I could not say that it was notorious to the world—what I mean by the world I mean our world here.

Q. In the county where he lived it was well known that he was the kind of man you describe him to be?—A. Yes, sir.

Q. When was he commissioned by Governor Ames as brigadier-general of militia?—A. Perhaps about a year ago.

Cardozo, the forging clerk of the circuit court and defrauding State superintendent of public instruction; Davenport, the negro forger and county-clerk; O. P. Lee, white, the aide-de-camp of Governor Ames, defaulter and red-handed murderer of two black committee-men; Morgan, the sheriff of Yazoo County, with the indictment for the murder of Hilliard, his republican predecessor and contestant, hanging over him; Davis, colored lieutenant-governor, the vendor of pardons of any crime for money; these are specimens of the men whom he took to his confidence and made his political associates, and to complaints against whom he accorded such treatment as in the case of the application to him by the mayor of the little town of Greenville, in Washington County, soliciting protection against repeated acts of incendiarism in which Brigadier-General Gray was implicated and subsequently indicted for arson. Governor Ames sending no reply to this supplication for protection, placed the letter in the hands of Gray himself, who flaunted it in triumph in the face of the citizens. (See deposition of William A. Ferguson, pp. 1468–1471.)

SOMETHING ABOUT SENATOR GRAY.

Q. John H. Nelson?—A. He is a merchant there, and has been a lawyer. He left here this morning. I would like to state in this connection that at the very time these outrages were being committed by Ross and Gray, knocking down people and going before the magistrates and being fined nominally, that he was mayor of Greenville. The mayor had no power as magistrate, but wrote a letter to Governor Ames to take some steps to prevent the consequences which would attend if such things were not stopped. Within a week after that letter was mailed Gray had it parading around the streets of Greenville. Governor Ames had referred it back to Gray. Judge Nelson set forth the fact that it was bound to bring about a collision; that Gray was conducting himself in such a way that it was impossible to have any redress; that he was taken before a magistrate and fined a nominal fine, and it never was collected, and he just laughed at it, and there was no peace to be had unless something was done. And that was the way the letter was treated. It was referred to Gray as brigadier-general of militia.

Q. Written by the mayor of Greenville to the governor of the State?—A. Yes, sir.

Q. And he made no reply to it?—A. No, sir; it was referred to Gray. The letter was sent back to Gray, and he exhibited it on the streets of Greenville within a week.

Q. What did he say to it?—A. He just showed it; I don't recollect what he said. It was just to show how perfectly hopeless it was to take any steps against him.

Q. That was the sole reply that Governor Ames made to this representation of the state of affairs by the mayor?—A. Yes, sir; I recollect on one occasion he had knocked some one down on the street, and they came to arrest him, the police, and he simply called out to the magistrate to fine him $10 and that would be the end of it, and he walked off and nothing more was done with him.

Invested with the power of selecting the entire judiciary of the State, the character of his appointments may be learned from the deposition of Judge John A. C. Watson, of Holly Springs, who at page 981 testifies as follows:

Q. What class of men did General Ames call around him in his administration?—A. He called around him, as a general thing, the very worst class of what we call "carpet-baggers." Most of them were newcomers into the State, without property, who relied upon politics as a trade and means of livelihood.

Q. Had they any knowledge of your people, of their habits and wants?—A. None whatever. They came among us as strangers at the close of the war.

Q. With whom did that class of men affiliate?—A. A great many of them affiliated mostly with the negroes.

Q. What was the feeling and course of action toward citizens of the Northern States who came here as men of fair character and as good citizens to settle in your midst?—A. Upon the part of most of the citizens, especially of the better class, there was no indisposition to receive them, and a great many desired them to come. And when they came among us, as citizens engaging in some business, I believe any such man was received kindly and treated kindly. A great many of them, however, came among us, as I remarked before, and engaged in no business, but just went among negroes, the whole aim and purpose being to gain the confidence of the negroes and alienate them from the whites and their old masters. They carried this to such an extent that some of them would visit the negroes' houses and cabins, and meet them on terms of social equality. Some would not go so far, but would mix up with them in politics. And the general aim of that class was to destroy the confidence of the negroes in the whites and in their old masters. I have heard men of this class on the stump, in addressing crowds of negroes, say everything they could to exasperate the then recently-emancipated negroes against their old masters. I have heard them lay down this rule, "You must never follow your masters in politics; just watch them, and when they take one direction you take the other, and you will certainly be right."

Q. Was this the current course of advice to this class of men?—A. So far as it fell under my observation, the general object was to convince them that their old masters were unalterably opposed to them, and that they must look alone to northern men for their protection.

Q. Was it from this class that General Ames drew his political associates and advisers?—A. Yes, sir; he very soon threw off what he regarded as the better class of republicans.

Q. Threw them off?—A. Yes.

Q. Was it thought that that led to the split of the Alcorn wing against the Ames?—A. Yes; perhaps I might state a fact or two there. Alcorn came back and ran for governor against Ames.

Q. What year?—A. In 1873. During that canvass Alcorn on the stump denounced as thieves and swindlers the main supporters of General Ames. The speeches made by Governor Alcorn in that canvass were the most denunciatory I ever heard against the leading men of the Ames party.

Q. Were there other leading members of the republican party who took the same tone as did Alcorn in regard to the Ames administration?—A. In 1873, not a great many. Ames had the confidence of the negroes, and Alcorn was not sustained by his own party, to any great extent, in 1873.

Q. How was it later, in 1875?—A. Alcorn's strength continued to gain after that, and before 1875 the split was a very marked one. A great many had become followers of Alcorn and opposed to Ames.

Q. Was the feeling between the two wings, the Alcorn wing and the Ames wing, as great or greater than between the republicans and democrats?—A The feeling between these two wings of the republicans was just as bitter as could have existed. In my district the opposing candidates for Congress were Wells and Howe, and when the Wells party had a meeting they denounced Howe as a thief and falsifier, and applied to him every epithet they could invent, and when the Howe party came along they would apply the same epithets to the Wells party.

Q. Who is Howe?—A. He had been a member of Congress from that district.

Q. Who was he?—A. A northern man.

Q. Was he on the Ames side or the other?—A. On the Ames side; Wells was for Alcorn. He is our present member of Congress. The collision between the two wings of the party had a great deal to do toward carrying that district against the republicans.

Q. It was charged in the public papers that the character of the officers under Ames's administration was known to him, after which knowledge he continued to keep these men in office and consort with them politically.—A. Well, sir, I cannot say what was the knowledge of Ames upon that subject, but these delinquencies and this misconduct were known to the public generally, and Ames still retained them in office and

in his confidence, and the more they were abused and exposed the closer he seemed to adhere to them. It seemed to be rather a recommendation to him.

Q. Many of them were placed under indictment?—A. A good many.

Q. By the grand juries of their counties?—A. Yes.

Q. The grand jury, as a rule, was under the control of the republican party?—A. Yes.

Q. After these indictments took place were the confidence and association of Governor Ames withdrawn from these people?—A. As a general rule it was not. In Northeastern Mississippi Governor Ames appointed a man as chancellor by the name of Barton, with no intelligence as a lawyer and no standing at the bar. Moreover, he was charged with a flagrant act of forgery.

Q. Had he been indicted?—A. He had not; but Governor Ames was informed by gentlemen of high respectability, among others by our present governor, who came from his vicinity, of the character of this man. Governor Ames refused to believe it, but had it been untrue and his moral character ever so good, he was not fit for the office; but Ames was blind to the truth, and did appoint Barton chancellor. When, however, his appointment was before the senate for confirmation, the judiciary committee, to which it was referred, sent out for witnesses, and the proof was conclusive. I had been knowing to it. The gentleman upon whom the forgery was committed resided in my town and was my intimate personal friend; but Governor Ames did not withdraw his name until he was told by his friends that they could not possibly get him through the senate. That was the only thing that checked him.

Q. Did this man ever exercise the functions of chancellor?—A. O, yes, sir; he held several courts.

In all these republican strongholds in which the charges of turbulence and misgovernment are alleged to have existed, it is to be also noted that the entire local power was in Republican hands. Thus the supervisors of the counties, being in fact the county legislature, assessing taxes, contracting for supplies, controlling all public improvements, the schools, public buildings, roads, and having, in short, all local control, were almost without exception composed of negroes, few of whom were able to read or write, and scarcely one of whom was able to compute an ordinary sum in arithmetic. In some cases the highest mark of erudition was the capacity of the chairman mechanically to sign his name to a record which he was unable to read. (See deposition of Mayor Powell, p. 876:

Q. How were the grand juries composed?—A. Mostly of colored people; some few white; very few, however.

Q. How were the petit juries composed?—A. Largely of colored men, and sometimes as high as eleven colored men to one white man, and sometimes the entire jury were colored people.

IGNORANCE OF NEGRO OFFICIALS.

Q. All these people who have the summoning of the grand juries and petit juries—the board of supervisors of the county—are they not ignorant people?—A. Yes, sir; they had a board of supervisors there last year not one of whom could write his name, with one exception, and he could only write it mechanically.

Q. Who was that composed of?—A. Negroes.

Q. Were they all blacks?—A. Yes, sir. There was only one that could write his name, and he could only write it mechanically.

Q. Those were the men that assessed the taxes for the county?—A. Yes, sir; they were the legislature for the county.

Q. They selected the jurors?—A. Yes, sir.

Q. Had you any justices of the peace who were colored?—A. Yes, sir.

Q. Do you know their condition as to illiteracy?—A. This year we have one in the county that can write his name. Last year, however, I don't think there was a colored justice in the county who could write his name. I know several of them personally.

HOW JUSTICES OF THE PEACE KEPT THEIR DOCKETS.

The way they kept their dockets—they never report but very few fines; I think one of them reported about five dollars—the way they kept their docket was to get some friendly neighbors to write it up just before the grand jury met, to present it to them.

Q. When the docket was written were they able to read it?—A. No, sir.

Q. And they had the control of the criminal and civil business of the county?—A. Yes, sir; there was only one democratic justice of the peace in the county, I think, besides myself; Mr. Garrett.

Q. Were these justices of whom you have spoken able to fill up the writs they issued, to sign them, or know what they contained?—A. No, sir.

Q. Did they sign these writs by a mark, or get some one to write their names for them?—A. Signed them by a mark, I believe.

Q. Have you seen them so signed?—A. I have; from one Bailis Winlark; he could neither read nor write, and could not even sign his name—perfectly illiterate; he don't know anything.

The justices of the peace, generally unable to write, and frequently unable to read the contents of the process against person or property which they issued in the name of the law, delivered it to constables equally unfitted to understand the nature of the precept or to attest their action under it.

Negro chancery clerks and clerks of the circuit court and courts of record were utterly unable personally to perform their duties, and intrusted everything to some white deputy. (See deposition of Judge Watson, p. 1013.)

Q. Were there members of the convention who were unable to read and write?—A. Quite a number of them were very illiterate. One of them, a negro named Stewart wholly without education, has been in office ever since, and is now one of our State senators.

COUNTY OFFICERS UNABLE TO READ OR WRITE.

Q. You spoke here of county clerks who were unable to write. How many do you know of that class?—A. I knew one in De Soto County, and others in two or three other counties. These persons may possibly be able to sign their names, but this is about all. The sheriff of De Soto County for four years was an illiterate, ignorant negro. He was re-elected for a second term of two years each, I think. He had no conception of the duties of his office. He did not pretend to discharge them.

Q. Not able to read the processes, or writs, or write his own returns upon them?—A. No, sir.

Q. In regard to justices of the peace?—A. I have known very ignorant and incompetent justices. They generally are able to write their own names, but so illiterate and uncultivated that it was not possible for them intelligently to read any law whatever. They were wholly incapable of discharging properly their duties.

Q. After 1869, were these persons appointed or elected justices of the peace?—A. I think the colored men were in some instances appointed, but probably more were subsequently elected.

Q. As to the board of supervisors, was it frequently composed of persons totally illiterate?—A. Frequently of persons who were wholly illiterate and could not by any possibility have any just conception of their duties.

Q. Did the same condition of illiteracy apply to the members of the legislature?—A. In a good many cases. Many uneducated colored persons and white men of but little character have been in our legislature since reconstruction.

The consequence of this local misgovernment is an increase of taxation amounting to confiscation, and is well expressed in the language of a petition to the legislature by the tax-payers of the State, in January, 1875, from which we make the following extract:

But probably the most flagrant evil of which the tax-payers complain, and the greatest outrages perpetrated on their rights, arise from the action of the boards of supervisors.

This court is really the most important of any in the State, and should be composed of the very best men in the several counties. As a general rule, we are sorry to say, the members of this board are wholly unfit to discharge their duties, and are without respectability or accountability. This, however, is not the fault of the legislature of the State, except in so far as it encourages such men to seek for that position. The county levies, in a large majority of the counties, are extravagant and oppressive beyond all endurance. The contracts for public work are made without economy or care, and with a reckless indifference to the interest of the public. These boards, in some instances, employ their own members to do the work not authorized by law, merely for the purpose of making them extravagant allowances. In many instances these members are wholly ignorant, and are completely under the control of the clerks and sheriffs of these counties, to whom they make extravagant allowances. This is a great evil, and we suggest that remedy which alone seems adequate. Legislation should be immediately enacted fixing the maximum rate of taxation at 50 per cent. on the State, beyond which they shall not go in any instance.

These boards should also be prohibited from making any contracts, or allowances, or appropriations, except when there is money in the treasury to pay them. And every such order or warrant so made and ordered, when there is not money in the treasury sufficient to pay it, should be declared utterly null and void, and all persons concurring in making or issuing them be declared guilty of a misdemeanor in office, and punishable for such, as provided by law.

To this urgent and respectful appeal no response whatever was made. (See deposition of E. Barksdale, page 453.)

The ruinous effects of such a system of misgovernment upon the real estate and property which is subject to it is to be found in the testimony of Shackleford, a republican ex judge, at p. 1528.

AVERAGE VALUE OF LANDS.

Q. What is the average value of the lands in that county?—A. Well, sir, if you put these lands up for sale at forced sale, they will not bring more—that is, where you include woodland and cleared land—probably than you can rent the cleared land for in a season. That is, you can get from seven to ten dollars an acre for the cleared land alone in produce, and as they charge there. The land there generally will produce from 80 to 120 pounds of lint cotton to an acre. If you make forced sales, you can't get much more for the fee; there is no capital; that is what is the matter. Rents are high, and prices of land low when sold at auction.

Q. Do you know of a disposition to allow lands to be sold for taxes, a year ago, say in Washington, perhaps in Issaquena, to prevent the money from being received by the county treasurer and officials?—A. I do not think that had much of anything to do with it, except that they did not want to pay their taxes. There was just a general disinclination to pay taxes all over the State; nobody wanted to pay; the taxes were so high, it was cheaper to forfeit and redeem afterward than it was to pay. I have been told so by some, and suppose it true.

Q. Explain that, if you please.—A. If you pay your taxes here to-day, you part with your money, which is worth so much to you a month interest, but the State takes the land, and you hold it and occupy it, and at the expiration of one or two years you go back and redeem it, without any damage placed upon it.

So that not only is all immigration prevented, but the possibility of obtaining loans of money upon real estate for the purpose of improvement is destroyed.

The system of public schools seems to have been liberally maintained chiefly for the advancement of the blacks, but necessarily at the pecuniary cost of the whites, whose property mainly contributed from its burdens to sustain them. This, however, would not have been a subject of complaint if there had been anything like equality of opportunities for the establishment of white schools, which were necessarily at the cost of white people.

An instance of the gross inequality and injustice of the action of these negro boards of supervisors and the insolence and overbearing conduct of the members is to be found in the case in Issequena County. See deposition of William A. Farrish, at p. 639.

Q. Who were the persons who had appeared before him as supervisor, and what had his conduct been toward them?—A. I will state that I for one appeared before him myself with a petition, signed by seventy odd citizens of the county, soliciting that a gentleman named Woolfork be allowed to put a gate across the public road at his plantation. The high water prevented his fencing his place at that time.

I went before the board and told them that I had a petition of this character, signed by this many men, and desired to read the petition.

He ordered me, in the most peremptory manner, to take my seat. I said I appeared as an attorney before that board, and that I thought I had a right, at least, to be heard, and had a right to read this petition.

He says, "No, sir; you will not be heard; and, furthermore, if you don't take your seat you will be fined for contempt of this board." He refused to even hear the petition read.

Q. Will you state the object of putting that gate across the road?—A. Simply to protect the plantation and save the man from putting some five or six miles of fence around his place, which could be done by putting a gate across the public road; and later in the season, when the water had gone down, he would be able to get his rails out of the swamp and put up his fence.

Q. Was it intended as a temporary relief to him only?—A. Temporary only, and to remain only for six months' time.

It is customary for the board of supervisors in the river counties to do things of that sort. It is done almost every day.

Another instance of his arrogant conduct as president of the board was when Mr. R. M. Smith, a very respected planter in the neighborhood, and a man of considerable wealth, appeared before the board with a petition to have a white school or school-house erected for the accommodation of the white children of the county, there being but one white school in the county, and from ten to fifteen colored schools; and yet the white people pay ninety cents on every dollar of taxes paid for that purpose. He went before the board for the purpose of getting this school established, and was, in the most insolent manner, ordered to take his seat, and not allowed to open his mouth upon the subject. Those are the two instances that occur to me now. There were other similar instances.

Q. Was any action taken upon that petition?—A. No, sir.

Q. Was the petition refused?—A. It was refused and laid over.

And the deposition of Mr. Miller, p. 661.

The choice of registrars and judges of election was such as made fair elections hopeless, as will be illustrated by the case of Warren County, which we shall consider hereafter in this report.

The legislature of the State under Governor Ames contained a large majority of negroes, and was confessedly a venal body of men, in which the defeat of any measure of reform or the passage of any measure of iniquity could cheaply be procured by the use of money among the members. See deposition of Judge Watson, p. 1008.

The legislatures have been composed to a large extent of ignorant and corrupt persons; the people lost all confidence in the courts; the juries were not fit to try the cases. I have argued cases before juries, involving matters of account, when three-fourths of the jury could not read, and were wholly ignorant of figures. Ignorant and stupid negroes try important criminal cases, involving the life of men of position and property. This is a great injustice to the State as well as to the accused. They may be well-meaning, but they have no capacity to do justice between the State and the individual; no just appreciation of moral obligation; no moral perceptions. This may be their misfortune and not their fault.

As to the relation of Governor Ames to the white people of the State of Mississippi, it is best described by his own language, at pages 16 and 17 of the testimony, in which he says:

Q. When did you first go to Mississippi?—A. I went there in 1867.

Q. In the Army, I believe?—A. Yes, sir.

Q. When were you elected Senator?—A. In 1870.

Q. Had you any intention to settle in Mississippi prior to your election?—A. I will say not long previous to that, and permit me to say that I found, when I was military governor there, that there was a black code existing, and that the negroes had no rights whatever; that they were not permitted to exercise any of the rights of citizenship. I had given them the protection they were entitled to under the Government of the United States, and I believed that I could render them great service. I felt that *I had a mission to perform in their interest*, and I hesitatingly consented to represent them and *unite my fortune with theirs*.

It will seem, therefore, by his own voluntary statement, that the *white* people of Mississippi were not those whom he proposed to represent or with whom he desired "to unite his fortunes."

The next question and the reply of Governor Ames may perhaps be explanatory of his supposed "mission."

Q. You speak now in reference to the *colored* people of the State?—A. Yes, sir; in reference to the colored people of that State—*they were in the majority.*

On page 19, he says:

The question of how I can get money to live is the one question with me.

Perhaps this was always the case with Governor Ames while he re-
ed in Mississippi.
he natural consequences of a government so organized had become

apparent prior to the adjournment of the Ames legislature, which met in January, 1875, and adjourned about the end of March following. Incompetence, venalty, and misrule had borne their usual fruits. A government that inspired neither affection nor respect could necessarily rely only upon coercion and intimidation as a last and vain resort. The dissatisfaction and discontent of the people was not confined to the democratic party, but extended everywhere and among men of all parties.

The dissensions within the republican ranks were even more marked than among their silent adversaries who had been totally deprived of official position and control in public affairs. Between one division of the republican party, led and represented by Governor Ames, and another, represented by Senator Alcorn, the breach became deep and widened daily. On either side individuals of that party arrayed themselves with their respective followers, and open and bitter denunciations, unsparing in their terms, were showered by each side upon the other. The split was open, positive, and would seem to have been irreconcilable. In his examination before the committee, Governor Ames classes Senator Alcorn, Governor Powers, McKee, ex-member of Congress, ex-Senator Pease, Morris, the attorney-general, State Senator Musgrove, Wells, M. C., and Chancellor Storrs, as among the opponents to him and his administration. At page 22 he accuses Morris of having used his office for corrupt purposes, Musgrove of insincerity and dishonesty, Storrs of being thoroughly corrupt; at page 25 Pease of willful falsehood and of being without ordinary intelligence. At page 26 murders are imputed to Senator Alcorn.

On the other hand, George E. Harris, the ex-attorney-general of the State, in his letter to the President of the United States, dated the 24th of November, 1875, giving the reason for the democratic success in Mississippi, declares that it was—

Due to the imbecility and base corruption of the State administration and a few adherents.

(See letter, page —.)

He charges Ames—

With cold indifference and of contracting his views and narrowing his circle of friends to a few confidential advisers, who were a close corporation of mercenary men who knew but little of the wants of the people of the State and cared less—men who have no identity of interest or sympathy in common with the people of the State.

He charges him—

With the desire to control the judiciary as well as the executive department of the State; of resorting to the expediency of making appointments after vacation, and then holding the appointments over them *in terrorem* until the next session of the legislature, and if they did not please him in decrees, &c., he could withhold their names, (as he did in one case,) thus making the judiciary of the State subservient to the executive, in violation of the Constitution; and he actually removed Chancellor Dreman, as I believe, because in a case of *habeas corpus* he refused bail to the governor's friend, Morgan, [sheriff of Yazoo County,] on a charge of the murder of one Hilliard.

He charged him—

With appointing men to judicial position who had never had a case in court, and were totally ignorant of the law and practice, and who do not know a plea in bar from a demurrer.

Ex-Senator Revels, colored, in his deposition, at page 1020, states:

The great masses of the white people have abandoned their hostility to the General Government and republican principles, and to-day accept as a fact that all men are born free and equal, and I believe are ready to guarantee to my people every right and privilege guaranteed to an American citizen. The bitterness and hate created by the late civil strife has, in my opinion, been obliterated in this State, except, perhaps, in some

localities, and would have long since been entirely obliterated, were it not for some unprincipled men who would keep alive the bitterness of the past and inculcate a hatred between the races, in order that they may aggrandize themselves by office and its emoluments to control my people, the effect of which is to degrade them. As an evidence that party-lines in this State have been obliterated, men were supported without regard to their party affiliations, their birth, or their color by those who heretofore have acted with the democratic party, by this course giving an evidence of their sincerity that they have abandoned the political issues of the past, and were only desirous of inaugurating an honest State government and restoring a mutual confidence between the races. I give you my opinion, that had our State administration adhered to republican principles and stood by the platform upon which it was elected, the State to-day would have been on the highway of prosperity. Peace would have prevailed within her borders, and the republican party would have embraced within its folds thousands of the best and purest citizens of which Mississippi can boast, and the election just passed would have been a republican victory of not less than eighty to a hundred thousand majority; but the dishonest course which has been pursued has forced into silence and retirement nearly all of the leading republicans who organized and have heretofore led the party to victory. A few who have been bold enough to stand by republican principles and condemn dishonesty, corruption, and incompetency, have been supported and elected by overwhelming majorities. If the State administration had adhered to republican principles, advanced patriotic measures, appointed only honest and competent men to office, and sought to restore confidence between the races, bloodshed would have been unknown, peace would have prevailed, Federal interference been unthought of; harmony, friendship, and mutual confidence would have taken the place of the bayonet.

I. H. Estell, a republican, states, at page 325:

The moderate republicans, and a number of the wing to which I belong, have opposed and voted against the nominees of Governor Ames.

Q. State your reason for not sustaining Ames.—A. Because we believed his policy, his non-effectiveness, his associations with corrupt men, had brought the republican party into disrepute here.

Q. Do you know whether as a fact—as a public fact—whether Governor Ames's course tended to bring about a good feeling among the races, or to array them against each other?—A. I do not know, sir, that the races have actually, with the single exception of these riots, been directly arrayed against each other here, but I do not believe that the actions of Governor Ames, and the men with whom he was most intimate, such as the editor of the Pilot, Warner, French, Sullivan, and others—that his association with them *has not tended to produce concord among the races.* On the contrary, I think *that their selfish purposes have done a great deal to produce a bad feeling,* which the moderate and best republicans have endeavored in vain to counteract.

Governor Ames's prostitution of his office and bargaining with appointees is shown by Judge Watson, at page as follows:

Senator Alcorn flatly contradicts Governor Ames's account of the Friar's Point riot, in which Mr. Alcorn was one of the chief parties, (see deposition at page 67,) and expresses his want of confidence in Ames's administration.

See also letter of H. C. Carter, page 1083; also speech of G. Wiley Wells, (see his speech, reported by Senator Revels, at page 1017,) in which he quotes Ames's remarks that "the blood of twenty-five negroes would be a good thing for the republican party."

With such a division of feeling in regard to men and measures in the republican party in Mississippi, with universal discontent among all classes of the people in regard to the condition of the State and its administration, they approached the canvass of 1875. Governer Ames was charged by Harris (see same letter before quoted) with using his power as executive of the State for the purpose of securing his election to the United States Senate, and there seems to be no doubt that such was the fact. As he, himself, has stated, he had "united his fortune with the colored people of the State, whom he believed to be in a majority." He was unlearned in law or the spirit of civil rule. Military methods and rigor were his only conception of government. He seemed greedy of political power without comprehending its responsibilities. He did not lessen his deficiencies by associating with men more learned in civil rule than himself, but, avoiding men of intelligence and character

in the State, surrounded himself with obsequious and inferior associates. The characteristics and tastes of the people among whom he had gone as a stranger, and yet to be their ruler, he never studied nor cared to comprehend, nor to have understood the gentle wisdom of Fletcher of Saltoun—"That if a man were permitted to make all the ballads, he need not care who should make the laws of a people." He never gained their respect; but, by his self-seeking, his self-promotion to power and place, and his use of public power for his personal ends, he entirely lost whatever he might have had of their respect. Thus, losing public respect, he lost public confidence, and instead of seeking by conciliation and methods of justice to regain it, he resolved to defy those who withheld it. The end of all his methods was simply force—the bayonet; that last and most cruel test of military fidelity, when the American soldier is called upon to use his arms against the American citizen. When he found the political knot was complicated, he set aside methods of reason and used the sword to cut it, because he was devoid of the skill or patience to untie it. Violence was the necessary end of such a rule as he conceived and sought to put in practice. The just end of government is the happiness of the people to be governed, and measures to promote popular happiness and content are the first and chief duties of a ruler. It would be a farce to term such a government as he conducted in the spring of 1875 a free government, either for the white or for the black people. The colored population were as thoroughly enslaved to his will and to the handful of politicians whom he set over them, as they ever could have been in the hands of their former private owners. In his testimony at page 15, citing his last message to the legislature, he says he regards the whole affair as a race-issue, in which he avowedly intended to take sides with the black race against the white, and to use all his power, personal, political, and official, in their behalf. Thus, in the first year of his administration, in the fall of 1874, in the case of a contest for the office of sheriff at Vicksburgh, in Warren County, he forced Flanagan, the white occupant, out of his seat by a company of United States troops, which he had demanded to be sent to him for that purpose from New Orleans.

PREPARATION BY AMES TO CARRY THE ELECTION BY FORCE.

In 1875, when it became apparent that the democratic party was disposed to combine itself with all the elements of opposition to his administration and make a strenuous effort to gain control of the State, Governor Ames made his first preparation in the legislature for its defeat by the passage of a law known as the "Gatling-gun bill." This is described in the testimony of E. Barksdale, page —:

Q. You spoke of the "Gatling-gun bill;" what was that?—A. I have, I think, a synopsis of the bill.

"Section 3 of the bill empowered the commander-in-chief to organize, from the enrolled militia, two regiments of ten companies each, and to purchase four or more Gatling guns, and organize a corps of select officers and men from the infantry to send with the said guns."

That was passed by the legislature which assembled on the 1st January, 1875. The date is not given.

Q. It was passed the spring before the election?—A. Yes, sir; it was called the "Gatling-gun bill," because the purchase of four Gatling guns was authorized, and they were regarded as weapons of very terrible destructive qualities. The appropriation for carrying out the purpose of the Gatling-gun bill was $60,000. Of this, $5,000 were authorized to be expended for military supplies and munitions of war.

The next was his application to the Secretary of War at Washington for the State's quotum of arms. (See testimony, page —, and the ac-

companying papers and applications of A. G. Packer, adjutant-general, organizing the State militia for active duty.)

A. While matters were in a condition of profound peace here, though these causes of discontent existed to which I have referred, and which are stated in the tax-payers' memorial, and in the resolutions of the republican club here in the city of Jackson, Governor Ames, after the passage of the law which was known as the "Gatling-gun bill," as if preparing for war here, addressed a letter to the Secretary of War, inquiring about Mississippi's quota of arms. A copy of that letter I have here:

"MAY 25, 1875.

"SIR: By direction of his excellency A. Ames, governor of Mississippi, I have the honor to apply to you for the statement of arms and other military property issued to this State since 1860, under act of Congress April 23, 1808, and the acts amendatory thereto.

"A communication from the Ordnance Office, Washington, D. C., has been received, in which the State of Mississippi is charged, under the provisions of an act approved March 3, 1875, with the sum of $170,167.31, and a balance due the United States is claimed of $1,967.60.

"The records of this office do not show the amounts of the apportionment for the different years, and having no data to furnish, I respectfully apply to you to furnish it.

"Very respectfully, your obedient servant,

"A. G. PACKER,
"*Adjutant-General.*

"The Hon. SECRETARY OF WAR,
"*Washington, D. C.*"

That was a letter written on the 25th of May, 1875.

On the 2d of June, before the political canvass, Governor Ames addressed a letter to General Benét, chief of the Ordnance Department, as follows:

June 2, 1875.

"SIR: I have the honor to respectfully apply for a price-list of ordnance and ordnance stores as issued from your office; also a book of forms used in the Department, if any change has been made since the publication of the regulations, 1863.

"Very respectfully, your obedient servant,

"A. G. PACKER,
"*Adjutant-General.*

"Brig. Gen. S. V. BENÉT,
"*Chief of Ordnance, Washington, D. C.*"

Q. What do you know of any military preparation made by Governor Ames early in the canvass, and prior to the occurrence of any of these disturbances?—A. As I have stated, and cited the letters showing, he was making military preparations. Then I have an order-book, issued from the headquarters State of Mississippi, adjutant-general's office, Jackson, May 1, 1875, announcing officers of the Mississippi State militia, during the months of February, March, and April, 1875.

"STAFF OF THE COMMANDER-IN-CHIEF.

"Brig. Gen. Albert G. Packer, of Holmes County, adjutant-general. February 25, 1875.

"Lieut. Col. Omer S. Lee, of Holmes County, aid-de-camp. February 25, 1875."

A gentleman who has since proved a defaulter to a very large amount in the county of Holmes, and has fled the State, and his whereabouts are not known.

"Lieut. Col. Jas. J. Spellman, of Madison County, aid-de-camp. February 25, 1875.

"*Fourth division.*

"Brig. Gen. Wm. Gray, of Washington County. February 25, 1875.

"General Brown, colonel First Regiment Infantry. February 25, 1875.

"Major-general State militia, Alexander Warner, of Madison County. February 26, 1875."

These gentlemen were all members of the republican party. That General Warner was the chairman of the republican State executive committee.

Of these, Spellman, Gray, and Brown were colored men; no democrats among them.

After the Clinton riot Governor Ames proceeded to perfect the military organization which had been ordered by law; and in the county of Hinds, under authority known as the "Gatling-gun bill," on the 23d of September, he ordered one thousand Spring-

field breech-loading muskets to be purchased, and directed to the adjutant-general of this post. After the receipt of those arms they were issued to companies in this county of Hinds, as follows :

On the 2d of October, 80 guns, with accouterments, were issued to Capt. Chas. Caldwell, (colored.)

On the 5th October, to the same person, 17 were issued.

On the 6th October, 47 issued to Capt. John W. Cleagan, (white.)

On the 7th, 80 stand of arms to Green Tapley, (colored,) with ammunition.

On the 9th of October, 80 issued to Ed. L. Gillin, (colored,) with ammunition.

On the 9th of October, 1865, stand of arms issued to Geo. D. Nixon, (white,) with ammunition.

On the 10th, 80 issued to W. C. Mosely, with ammunition.

On the 11th, 60 issued to Oliver Cromwell, (colored,) with ammunition.

That was in this county; issued with accouterments, ammunition, &c., to five negro companies in the county of Hinds, and two white companies.

Almost without exception the appointments were from the republican party. I do not think of an exception in the military appointments, and two-thirds of the companies that were commissioned in the military service were taken from that party. Probably half were commanded by colored officers.

The following is a full list of the appointments:

First Division.—Brig. Gen. William F. Simonton, of Lee County, March 4, 1875.

Second Division.—Brig. Gen. Marion Campbell, of De Soto County, March 4, 1875.

Third Division.—Brig. Gen. N. B. Bridges, of Oktibbeha County, March 4, 1875; *Hinds County:* Samuel F. Steele, colonel First Regiment Infantry, March 10, 1875; *Jasper County:* Newton Knight, colonel First Regiment Infantry, March 17, 1875; *Lowndes County:* W. A. Monroe, captain Columbia Light Artillery, March 17, 1875; *Grenada County:* C. P. Lincoln, colonel First Regiment Infantry, April 12, 1875; *Monroe County:* James W. Lee, colonel First Regiment Infantry, April 12, 1875.

By order of the commander-in-chief:

A. G. PACKER,
Adjutant-General.

Headquarters State of Mississippi,
Adjutant-General's Office,
Jackson, June 1, 1875.

[General Orders No. 3.]

The following-named officer has been appointed in the Mississippi State militia during the month of May, 1875.

Wilkinson County.—William H. Noble, colonel First Regiment Infantry.

By order of the commander-in-chief:

A. G. PACKER,
Adjutant-General.

Headquarters State of Mississippi,
Adjutant-General's Office,
Jackson, June, 1875.

[General Orders No. 5.]

The following-named officers have been appointed in the Mississippi State militia during the month of June, 1875:

Lowndes County.—M. A. Brownlee, captain Company A, First Regiment Infantry; T. H. Smith, first lieutenant Company A, First Regiment Infantry; D. P. Moody, second lieutenant Company A, First Regiment Infantry.

The following resignation in the Mississippi State militia has been accepted during the same period:

Grenada County.—June 17, 1875, First Regiment Infantry, C. P. Lincoln, colonel.

By order of the commander-in-chief:

A. G. PACKER,
Adjutant-General.

HEADQUARTERS STATE OF MISSISSIPPI,
ADJUTANT-GENERAL'S OFFICE,
Jackson, October 1, 1875.

[General Orders, No. 7.]

The following-named officers have been appointed in the Mississippi State militia during the months of August and September, 1875:

Warren County.—William French, colonel Fourth Regiment Infantry, August 12, 1875.

FIFTH DIVISION.—Brigadier-General William F. Fitzgerald, of Hinds County, September 15, 1875.

FIFTH DIVISION.—*Staff of brigadier-general.*—John D. Beaird, assistant adjutant-general, with rank of major, Warren County, September 22, 1875; Wirt Johnson, assistant surgeon-general, with rank of major, Hinds County, September 24, 1875; William R. Davol, assistant quartermaster-general, with rank of captain, Warren County, September 27, 1875; John J. Rohrbacher, aid-de-camp, with rank of captain, Hinds County, September 27, 1875; Marion Smith, aid-de-camp, with rank of captain, Hinds County, September 27, 1875.

Warren County.—R. J. Temple, captain Company A, Second Regiment Infantry, September 27, 1875.

Staff of major-general.—M. B. Sullivan, assistant adjutant-general, with rank of colonel, Bolivar County, September 24, 1875; William H. Compton, assistant surgeon-general, with rank of lieutenant-colonel, Hinds County, September 24, 1875.

Hinds County.—John W. Clingan, captain Company A, First Regiment Infantry, September 25, 1875; John C. Rietti, first lieutenant Company A, First Regiment Infantry, September 25, 1875; Matt F. Ash, second lieutenant Company A, First Regiment Infantry, September 25, 1875; Charles Caldwell, captain Company A, Second Regiment Infantry, September 25, 1875; Eugene B. Welborn, first lieutenant Company A, Second Regiment Infantry, September 25, 1875; Porter Kelly, second lieutenant Company A, Second Regiment Infantry, September 25, 1875; Green Tapley, captain Company B, Second Regiment Infantry, September 25, 1875; Charles Morgan, first lieutenant Company B, Second Regiment Infantry, September 25, 1875; John F. Duncan, second lieutenant Company B, Second Regiment Infantry, September 25, 1875; Nathaniel D. Sneed, colonel Second Regiment Infantry, September 27, 1875.

Lafayette County.—Victor W. Thompson, colonel First Regiment Infantry, September 28, 1875.

FIRST DIVISION.—*Staff of brigadier-general.*—John C. Heidelberg, assistant adjutant-general, with rank of major, Lee County, September 30, 1875; Clinton C. Jones, assistant quartermaster-general, with rank of captain, Lee County, September 30, 1875; Joseph M. Bynum, assistant surgeon-general, with rank of major, Alcorn County, September 30, 1875; Henry M. G. Spencer, aid-de-camp, with rank of captain, Lee County, September 30, 1875; Green M. Maddox, aid-de-camp, with rank of captain, Tippah County, September 30, 1875.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

HEADQUARTERS, STATE OF MISSISSIPPI,
ADJUTANT-GENERAL'S OFFICE,
Jackson, November 1, 1875.

[General Orders, No. 8.]

The following-named officers have been appointed in the State militia during the month of October, 1875.

SIXTH DIVISION.—Brigadier-General Harris P. Hurst, of Pike County, October 2, 1875.

SIXTH DIVISION.—*Staff of brigadier-general.*—James C. Lamkin, assistant adjutant-general, with rank of major, Pike County, October 2, 1875; Frank Strong, assistant surgeon-general, with rank of major, Amite County, October 2, 1875; Charles P. Hosmer, aid-de-camp, with rank of captain, Pike County, October 2, 1875; Moses Jackson, assistant quartermaster-general, with rank of captain, Amite County, October 17, 1875.

WARREN COUNTY.—Adam Bowie, captain Company A, Second Regiment Infantry, October 5, 1875.

HINDS COUNTY.—William C. Mosely, captain Company D, Second Regiment Infantry, October 7, 1875; John W. Chase, first lieutenant Company D, Second Regiment Infantry, October 7, 1875; William Williams, second lieutenant Company D, Second Regiment Infantry, October 7, 1875; E. L. Gilliam, captain Company E, Second Regiment Infantry, October 7, 1875; Thomas Stevens, first lieutenant Company E, Sec-

ond Regiment Infantry, October 7, 1875; Robert Williams, second lieutenant Company E, Second Regiment Infantry, October 7, 1875; George D. Nixon, captain Company B, First Regiment Infantry, October 9, 1875; E. W. Partin, first lieutenant Company B, First Regiment Infantry, October 9, 1875; C. E. Marshall, second lieutenant Company B, First Regiment Infantry, October 9, 1875; William Iverson, captain Company C, Second Regiment Infantry, October 11, 1875; Edgar Gordon, first lieutenant Company C, Second Regiment Infantry, October 11, 1875; Oliver Cromwell, captain Company F, Second Regiment Infantry, October 11, 1875; Virgil Clark, first lieutenant Company F, Second Regiment Infantry, October 11, 1875; Cornelius D. S. Parker, second lieutenant Company F, Second Regiment Infantry, October 11, 1875.

De Soto County.—Albert D. Thompson, colonel First Regiment Infantry, October 11, 1875; Jefferson J. Evans, lieutenant-colonel First Regiment Infantry, October 11, 1875; Thomas A. Leon, major First Regiment Infantry, October 11, 1875; James F. Pratt, adjutant, with rank of first lieutenant, First Regiment Infantry, October 11, 1875; Horace H. Hillman, captain Company A, First Regiment Infantry, October 11, 1875; Calvin S. Nesbit, first lieutenant Company A, First Regiment Infantry, October 11, 1875; Henry Odom, second lieutenant Company A, First Regiment Infantry, October 11, 1875; John W. Farmer, captain Company B, First Regiment Infantry, October 11, 1875; Thomas McCain, first lieutenant Company B, First Regiment Infantry, October 11, 1875; James McLaughlin, second lieutenant Company B, First Regiment Infantry, October 11, 1875; Henry Rogers, captain Company C, First Regiment Infantry, October 11, 1875; Jerry Powell, first lieutenant Company C, First Regiment Infantry, October 11, 1875; Charles H. Knowlton, second lieutenant Company C, First Regiment Infantry, October 11, 1875.

Yazoo County.—Albert T. Morgan, colonel First Regiment Infantry, October 11, 1875; First Regiment Mississippi Cavalry, Colonel Eugene H. McMichael, of Wilkinson County, October 11, 1875; Lieutenant-Colonel John G. Mills, of Holmes County, October 17, 1875.

Amite County.—Charles P. Nelson, captain Company A, First Regiment Infantry, October 11, 1875; Henry J. Lilly, first lieutenant Company A, First Regiment Infantry, October 17, 1875; T. N. Lafayette Anderson, second lieutenant Company A, First Regiment Infantry, October 17, 1875.

The following appointments have been revoked during the same period:

Warren County.—R. J. Temple, captain Company A, Second Regiment Infantry, October 5, 1875.

Hinds County.—Charles Caldwell, captain Company A, Second Regiment Infantry, October 21, 1875; Eugene B. Welborn, first lieutenant Company A, Second Regiment Infantry, October 21, 1875; Porter Kelley, second lieutenant Company A, Second Regiment Infantry, October 21, 1875.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

The State militia having been thus organized preparatory for the campaign, and the officials being among the most notorious and unscrupulous partisans, black and white, of the State administration, great alarm was created among the white population. The negro companies, officered by negroes, largely predominated, and threats were freely made by their orators that the slaughter of the whites would be completed from the cradle up, if necessary for their success. (Speech of Brigadier General Gray, reported in testimony of W. A. Ferguson at page —; also testimony of Mr. Putnam, page —.)

As a consequence, rumors flew thick and fast. The preparation of the governor and his arming of the negro militia were on every tongue, and caused the deepest distress and apprehension among all classes who sought to preserve the peace in the State and friendly relations between the two races. That such rumors were exaggerated there can be no doubt, for it was the interest of the Ames party and of the negroes to make proclamation of an organization and power which they knew they did not possess. The effect was to increase the insolence and insubordination of the blacks and intensify the discontent and the apprehensions of the whites. The arms to be furnished by Governor Ames were at the expense of the State, and the whites were left to their private resources to obtain arms necessary, as

they believed, for their self-defense. A feeling of excitement was engendered that grew each day in force. Intimidation was thus openly proposed, and proposed to men not likely to be intimidated and totally misunderstood in their course by the men who were assuming to rule them. Thus it seems that violence, bloodshed, and force, as the only arbiter of the election, were first suggested in a time of profound peace in the State of Mississippi, by Governor Ames and his political associates. (See page 334, deposition of Frank Johnston; page 472, deposition of E. Barksdale.) The practice of carrying arms in Mississippi among all classes is almost universal, and there were many witnesses who appeared before the committee so equipped—one, Mr. Chisholm, a leading republican of Kemper County, promptly producing his weapon for the inspection of the committee, and the justices of the peace and constables declaring that it was a part of their official costume.

It was testified by ——— ———, at page —, that after the war the desire to obtain arms among the negroes was almost universal, and that the sales of weapons to them, especially of shot-guns, was very much in excess of what it was to the whites.

LOUIS HOFFMAN sworn and examined, (p. 1315. See also Mr. Peale, p. 2199, and Mr. Richardson, p. 1274.)

By the CHAIRMAN:

PERSONAL STATEMENT.

Question. Where do you reside?—Answer. In Vicksburgh, Miss.

Q. How long have you resided there?—A. Since 1853.

Q. You are not a native of this country, I suppose?—A. No, sir.

Q. Of what place?—A. Prussia.

Q. What is your business at Vicksburgh?—A. I carry on a hardware and gun store.

Q. We wish to know about your sales of guns of various sorts, and pistols, in the year 1875, in the months of June, July, August, September, and October, as compared with your sales of the same articles in the same months of the year 1874—whether they were larger or smaller?—A. Well, there have been some fire-arms sold, but I don't think that the trade was very brisk. Of course there was a demand for arms, but in good times before the war, in 1857 and 1860, we did more business and sold more arms.

MOST ARMS SOLD TO NEGROES IN 1864.

Q. What year since the war have you sold the most?—A. In 1864, when the freedmen being allowed to carry fire-arms, there was not guns enough to be gotten this side of New York City, just after the ending of the war.

Q. Since 1870, what years have your sales been the largest?—A. That I could not tell. There had been a little rush that summer—two years ago there had been a little call for arms, but only in relation to a short period.

TRADE IN GUNS AND PISTOLS DULL.

Q. How was it last year?—A. The trade had been generally dull for the last four years. The only trade we had in fire-arms was shortly after the war, when all the negroes bought guns. Every negro wanted to have a gun, and there was not guns enough to be gotten to supply them. Those sold last year would be only a few and would not amount to anything.

Q. How about pistols?—A. Pistols, about the same amount. We sell pistols constantly.

Q. In what year have you sold the largest quantities of pistols in the last four or five years?—A. If I had been notified I could have brought my books along and could have made a very correct statement, but it is very hard to state without them as to how business is, especially in December, January, and February, when the people have money. The election to which you no doubt have reference was in the summer months, when persons don't usually have much money and do not buy many arms. It is usually in the winter months that they buy arms mostly. I almost believe I have sold more in January, February, and March than all summer, for the reason that the business season is in December, January, and February.

NEGROES HAVE BOUGHT THE MOST GUNS.

By Mr. BAYARD:

Q. Since the close of the war have you sold more fire-arms to the negroes than you have to the whites?—A. The negroes have bought decidedly more guns because there is a majority of them.

Q. I would like to ask you what effect upon the public mind—the condition of public feeling—had these measures adopted by Governor Ames. I mean what effect had they in suggesting the idea of violence to the public mind?—A. His military operations and preparations, marching and countermarching the troops, most of which were colored—all of them were colored, I may say—had the effect of inducing the conservatives and democrats, and others, who desired a change of administration for the causes which were enumerated in the petition of the republican club of Jackson, and of the tax-payers' convention to think that it was the determination to carry the election by force or intimidation, and by military violence if necessary.

Q. Had not these threatened military expeditions to Yazoo and other counties the effect of alarming the white people and democrats very much?—A. They had the effect of inducing them to believe that Governor Ames was endeavoring to carry the election by military violence and force.

Not only were the white people of Mississippi threatened with the organization and use of the armed negro militia in the coming election, but the armed forces of the Government of the United States were held in terror over them for a like purpose. Mr. Warner, chairman of the republican State executive committee, at page 968, states that, immediately upon the holding of the republican State convention at Jackson, in September, 1875, a resoution was adopted vesting him with an authority to appoint a committee, with himself as chairman, to visit Washington and call upon the President for armed aid to the republican party in the ensuing canvass, which resolution, and the action of the committee under it, shows the character of the campaign which they intended should be waged in that State. It may be here mentioned that the prevalent idea among the negroes and the handful of whites who lead them in Mississippi, seems to be that the Federal administration will at all times exert its armed authority for the purpose of retaining them in office; and it was in the hopes of such intervention that the application referred to was made, and which, as we believe, has largely promoted and induced the complaints which led to the constitution of this committee. The experience of prior elections had been favorable to this belief. (See page 451 of testimony:)

Q. Was it a fact, then, that the military arm of the Government was used in his election in favor of one party?—A. Yes, sir; the troops were sent to various parts of the State at that time, and persons were arrested and thrown into prison; and the effect of the use of troops against men who were opposed to that party had very great influence in controlling and determining the election.

Q. I would like to ask that fact, whether the Army of the United States has been used as a party agent in the affairs of Mississippi, and if it has been so felt by the party to which you belong?—A. Yes, sir; it has been so felt, for it was felt in that election, and the military commander was seen to go into a political organization and pledge his support to its candidates; and the troops were placed in various portions of the State without any ostensible cause other than their presence would have that effect.

The democratic-conservative party of Mississippi, in the platform adopted at their State convention on the 3d of August, 1875, contained the following propositions:

First. The recognition of civil and political equality of all men as established by the Constitution of the United States and the amendments thereto.

Second. Favoring the education of all the children of the State in public schools, sustained by adequate taxation; but opposition to extravagance or partisan administration of said schools.

The thirteenth cordially invited the voters of all the people of *both races* to unite vigorously with them in the approaching canvass. (See page — of testimony.) It was by this convention that the democratic executive committee was organized, and J. Z. George appointed as chairman.

Thus opened the campaign of 1875. It is in proof, by almost every witness who was examined on the subject, that the negroes were organized in clubs, having a *quasi* military organization in every county in the State. Clubs, also, of white people were formed, and the parading and march-

ing, with the use of flags, drums, music, cannon for salutes or the explosion of anvils, (a rude substitute for cannon,) became general throughout the State.

Much of the alleged intimidation of the colored people by the white population was claimed to be from causes like these, which could only have operated upon minds of the most childish character, and would be ridiculed if proposed, with the same intent, in any part of the Northern States. This constitutional timidity of the colored population was frequently and gravely urged as entering into alleged violations of the fifteenth amendment by white men, who fired off pistols in the air and exploded anvils at night on their return from meetings through the country. At page 112, A. Parker, republican sheriff in Amite County, testifies as follows:

Q. You may state whether or not these outrages had the effect of intimidating the colored voters.—A. They certainly did, sir. I am satisfied that for a month before the election there was not a week-day or a Sunday that colored people didn't come to my residence or to the court-house, and tell me of these visits to their houses, and ask my advice as to what they should do, and did I think they would be killed, and all such inquiries as that. Of course I encouraged them all I could. I will state as my candid opinion that there were no less than five hundred men who lay in the woods the greater part of the night before the election. They would stand in line at the polls, and drop asleep standing up, on account of not having had sleep the previous night. These democratic clubs were organized into squads, and each of these squads had two anvils. They would go to a little rising place in the road and put these anvils down, and shoot them off ten or twelve times, and shoot their shot-guns, yell, and go on, and stop a mile perhaps farther on, and repeat the same thing again. We could hear it in every direction from town, and it sounded just like war-times. The colored people, when these squads would be approaching them, shooting and yelling, would of course imagine that they were going to kill them, and they would slip out and get into the woods, and lay hid until morning. In the morning they came in one at a time, and found out no one had been killed. This was done on the night before the election, and finding out that nothing serious had been done, and that this was only a trick to frighten them, they came up to the polls and voted, and we polled a larger vote than we had polled before since the war, both democratic and republican.

Perhaps the best proof that can be offered of the real intent and spirit with which the democratic and conservative canvass was organized and conducted will be found in the telegraphic correspondence between Mr. George, the chairman of the executive committee, and his party associates throughout the State, who communicated with him during the canvass. This correspondence, although not referred to by any witness nor in any way supposed to be connected with the subjects to be inquired of by the committee, was, by the order of the committee, and against the formal and recorded protest of the undersigned, made public for the purpose of sustaining the charges of lawlessness and outrage against the democratic party of Mississippi. Mr. George had not been made a witness; none of the parties who were his correspondents had been made witnesses; but the whole correspondence was seized and produced in bulk before the committee, and is to be found on pages 380 to 420 of the testimony.

Let it be borne in mind that these communications were all supposed by the writers to be confidential, and that their contents would never be made public.

It will be difficult for any mind, however prejudiced, to construe any portion of this telegraphic correspondence so as to favor the suspicion that lawlessness of any kind was looked to as an element for the success of the democratic party in that canvass. From first to last there is nothing but what is creditable to Mr. George and his democratic correspondents as honorable, peaceful, and law-abiding citizens. We do not believe it will be possible to torture any of these dispatches into

any other meaning. The demonstration of General Ames in organizing the negro militia, the openly-expressed intention and threat of bringing Federal troops into the State to control the election, no doubt operated to create a corresponding antagonism and bitterness, and suggested that it should be met by force. The "race issues," which Governor Ames has recognized, and upon one side of which he so promptly and vigorously ranged himself with all his official powers, were undoubtedly aggravated and intensified. Collisions were constantly threatened, and yet few, remarkably few, under all the circumstances, occurred.

In endeavoring now to give a reliable account of the acts of violence and bloodshed which were proven before the committee as having occurred in Mississippi during the summer and autumn of 1875, we deem it hardly necessary to make expression of the intense and hearty reprobation which we, in common with all men who respect and value law and order and humanity, necessarily felt, and now feel, upon every occasion where violence and crime were committed. Stern repression and prompt punishment are the just measures to be dealt out to all such offenders, without respect to race, or color, or station in life, and for all such criminals and transgressors we invoke due punishment at the hands of those who are the representatives of the Government whose laws need vindication. But while we propose in every proven case to condemn the guilty, we do not propose to allow reasonable proof to be replaced by reckless and malicious assertion or rumor; nor do we propose to condemn a whole community upon the testimony of men, confessedly without character, who live upon slanders and trade upon abuse, instigated, as many of such characters were who appeared before the committee, by a miserable faction, whose hope of prolonged plunder and self-enrichment lies in keeping up a condition of public excitement and fanning the prejudices and hatreds of illy-informed citizens of the North against the white people of the South. We confidently believe that when knowledge of the truth as it is, and sad though it may be in many respects, of the state of affairs in Mississippi, shall possess the minds of the people of the Northern States, the occupation of the miserable class of slanderers to whom we have referred will be gone forever.

It is for this reason that we sincerely deprecate such utterances as those of the President of the United States, to which we have already referred, and such also as are contained in the speech of the honorable Senator from Indiana, [Mr. Morton,] and delivered in the Senate by him when urging the adoption of the resolution by which this committee was authorized. No fact stated by that honorable Senator was upon his personal knowledge, and the source from which he obtained his assumed facts was disclosed by the deposition of Captain Fisher, to be found at page 533.

By Mr. BAYARD:

Q. Is not that a copy of Mr. Morton's speech that you have there?—A. Yes, sir.

Q. Didn't you furnish these extracts to him?—A. I furnished some of them.

SENATOR MORTON'S SPEECH, AND WHO HELPED TO COMPILE THE EXTRACTS IN IT.

Q. I observe, in reply to a question put to you, first in respect to the Clinton riot, and next in regard to certain questions in reference to the taxation of the State, that you consulted a pamphlet; have you it?—A. Yes, sir. [Witness hands pamphlet to Senator Bayard.]

Q. This purports to be a speech delivered by Mr. Morton in the United States Senate in January, 1876.—A. Yes, sir.

Q. I suppose when you read the extract from the Raymond Gazette you obtained it from that speech?—A. Yes, sir.

Q. And you looked for information in regard to the taxation of the State to the statements in that speech?—A. Yes, sir.

Q. You read your testimony from what you found there?—A. I refreshed my recollection on a few points from what I found there.

Q. Did you or did you not read from that speech when you gave your answer?—A. I did, sir.

Q. Did you or did you not read from that speech when you were questioned in regard to the proceedings of the Clinton riot, and the number of persons killed at that time?—A. No. sir; I did not. I endeavored to find a paragraph taken from the Forest Register, in which it stated the number killed at Clinton—the Forest Register is a democratic paper—but I do not find the paragraph.

Q. Did you, as a matter of fact, make that political compilation in there from the democratic press of Mississippi?—A. I assisted in that compilation.

Q. Who assisted you?—A. Well, sir, there were extracts furnished by different gentlemen.

Q. Name those parties.—A. Judge Alcorn assisted in a portion of the compilation.

Q. That is Mr. Robert J. Alcorn?—A. Yes, sir.

Q. Where did you prepare them? Where were you at that time?—A. I was in this city.

Q. Were they prepared in this city?—A. O, yes, sir.

Q. To whom did you furnish them?—A. Well, sir, they were furnished to Senator Morton.

Q. At his request?—A. I was requested to furnish to Senator Morton all the evidence that I could obtain showing the character of the election and of the canvass in Mississippi last fall. I told him that I should be very glad to do that, and that I might be able to furnish some extracts showing the temper of the press, which he said he would be very glad to receive. And I proceeded to do so; and a portion of what you see here is the result of that labor.

Q. Did you see him personally and furnish these to him at his request?—A. Yes, sir; I did.

Thus it will be seen that, while being examined as a witness, Captain Fisher based his replies upon the speech made by the honorable Senator; and yet he admits that he himself had furnished to the honorable Senator the statements contained in that speech; that he had not personal knowledge himself, but that the speech was prepared in the city of Washington from the newspaper-clippings which he, Fisher, as the editor of a partisan paper, had made from time to time in the State of Mississippi. Thus, if Mr. Morton quotes Fisher and Fisher quotes Morton, the combined authority of the two can be no greater than that of either, and either and both rest entirely upon mere hearsay and information for the assertions which are dignified by the utterance of a Senator in Congress.

RIOTS.

During the canvass that preceded the election of November 2, 1875, there were four political disturbances ending in the loss of human life and bloodshed, in regard to which much testimony has been taken by the committee, and which have mainly served as the basis for the wholesale accusations against the white people of Mississippi with which the public press and the ears of the northern people have been industriously filled.

I. A riot at Vicksburgh on the occasion of the celebration of the 5th of July, (the 4th of July happening on Sunday;)

II. The riot of Yazoo City on the 1st of September;

III. The riot at Clinton on the 4th of September; and

IV. Friar's Point on the 9th of October.

In regard to the Friar's Point riot, there is no testimony whatever except what is contained in the statement of Governor Ames, at page 26, and of Senator Alcorn, at page 67. Governor Ames charges Senator Alcorn with being personally present and responsible for those occurrences. This he does upon the information of others, not having been personally present; but Mr. Alcorn, who was personally present, gives

in full the history of his participation as a leader in that whole affair, and divests it entirely of such political significance as is referred to in the resolution appointing this committee.

He testifies that the difficulty originated in the party schism between his adherents and those of Governor Ames, in which the democratic party, or, what is the same thing, the white people of Mississippi, had no share. He states, at page 69, the cause of the riot, which was, his personal difference with John Brown, the negro sheriff, and the organization by Brown of a large body of armed negroes, several hundred in number, well armed and approaching the town of Friar's Point, threatening to sack and burn it.

Mr. Alcorn organized a force, and, with his "double-barreled shot-gun," headed the defense. The negroes were dispersed at first by the forces of Alcorn without loss of life or wounds on either side; but the murder by the negroes of a respectable young white man, by the name of Scott, who was innocently attending to his business and taking no part in the trouble, led to a retaliation by the Alcorn party, and he sums up, at page 71, the result of the conflict:

Two white men assassinated by the negroes, one other shot himself accidentally, and nine colored men killed by the Alcorn party.

Deplorable and dreadful as the occurrence seems to have been, and public as it was, and well known to Governor Ames, who has furnished the committee with Brown's communications to him on the subject, (and which are to be found at page 20 of the documentary evidence attached to the testimony,) yet no action seems ever to have been taken by any of the civil authorities of Mississippi to vindicate the law, and, so far as the testimony of Senator Alcorn discloses, no member of the democratic party was concerned in the transaction. Whatever may be the lawless and dreadful character of this collision, it is proved beyond doubt to have been disconnected with any trouble growing out of the democratic-conservative organization of Mississippi. It should not be forgotten that Senator Alcorn is a strenuous republican and ally of General Grant's administration, and that the democratic party of Mississippi have no more determined opponent.

VICKSBURGH.

The riot at Vicksburgh on the 5th of July is stated by every witness who has been examined to have been entirely unpremeditated. The colored people met at the court-house on the morning of that day for the performance of patriotic exercises. Among the audience was Cardoza, the negro superintendent of education, and who was also to have been one of the speakers on that occasion. He was the editor and proprietor of a newspaper published in Jackson, in which, it seems, he had assailed Judge Cowan, a citizen of the county. Judge Cowan and Cardoza met at the railway-station at Vicksburgh on the morning of the 5th. An altercation took place between them by reason of the scurrilous article by Cardoza, and a collision ensued. Cardoza was assisted by a white man named Hill, and, with his aid, the attack of Cowan was foiled and Cardoza got off in safety and reached the court-house and took his place in the meeting. A few young men, supposed to have been friends of Cowan, followed him to renew the conflict, and finding there Hill, who had interfered between them at the depot, an encounter took place in which Hill was shot by some one unknown to any witness who testified.

The testimony discloses (see deposition of Embry, page 1310, and

the deposition of Stith at page 1401) that but a single shot was fired in the building, which resulted in the wounding of Hill, who has since absconded from the State. After the shooting of Hill the meeting, composed chiefly of colored people, scattered in great confusion. Shots were fired over their heads, one of which struck an old colored man who was on the sidewalk, not concerned in the meeting, and caused his death. The indignation of the men who had sought Cardoza continued; search was made for him, but he was secreted in an upper portion of the building and finally managed to escape unhurt. The mayor of the town, Dr. Leary, appeared promptly on the scene and soon brought everything to order. The riot had its origin in the personal encounter between Judge Cowan and Cardoza, had no feature of political intent, and the loss of life was confined to the old colored man, who was shot accidentally by some unknown person. The white person who was wounded in the court-house was proven to be a very disreputable man, and was either a bar-keeper or the partner of a negro who kept a low drinking-house, (p. 1428.) He having absconded, no proceedings have been taken against the person who shot him, nor is it known whether his wound is dangerous or not. The disturbance of this innocent and peaceable assembly was undoubtedly outrageous, and deserves the greatest reprobation; but it is impossible to believe that it was in any way or degree connected with party politics. It was a gross breach of the peace, which should have been promptly arrested, as it was, and severely punished by the civil authorities, as it was not.

YAZOO.

The affray at Yazoo City took place at a club-meeting of the republican party held at Bedwell's hall on the 1st of September, 1875, to which members of all parties were invited. The speaker was A. T. Morgan, the sheriff, and a candidate for re-election, who says:

> There were present, perhaps, half a dozen white republicans and fifty colored, and perhaps half a dozen or more democrats.

An altercation took place, growing out of some remark of the speaker which was rudely contradicted by some one in the audience; pistols were drawn and fired, and the hall was soon emptied; the result of the melee being the killing of Mr. B. R. Mitchell, a white man, and the wounding of Foote, a colored man. (See testimony of Foote, at page 1664.)

This was the beginning and the end of the riot in the hall; but the condition of feeling which probably gave rise to the riot did not end with that affray. Yazoo County contained an overwhelming majority of colored people. Its government—judges, clerks, sheriff, supervisors, justices of the peace, constables, juries, grand and petit, prosecuting officers—all were in the hands of the republican party. Mr. Morgan, who was one of the chief actors on this occasion, was the autocrat of his party in that county. He held the office of sheriff at one time, and was a candidate for re-election. He appeared in Washington before the committee to assail his political opponents in Mississippi. Mr. Morgan has been in Washington employed, as he says, as a claim-agent for several months. He was in communication with the majority of the committee for weeks prior to their departure for Mississippi. His testimony could readily have been then taken, and some opportunity thus afforded for calling witnesses in reply, but he was withheld until the return of the committee to Washington, and examined at the very

close of their sessions. He stated, at page 1729, that he went to Mississippi at the close of the war, rented lands, and commenced planting, but from various causes failed and was sold out, and became insolvent. That he was received with the greatest possible kindness on every hand upon his first coming, but soon lost his popularity with the white people, to whom he became exceedingly obnoxious. He omitted to inform the committee that he had married a colored woman, which fact was stated by Dixon and Foote, colored witnesses, and his political associates, at page 1682–3. Upon his failure in business he immediately embarked in politics, and has thoroughly controlled the county ever since. Attorney-General Harris, in the letter hereinbefore cited, classes him among the disreputable associates of Governor Ames, and says that, when a State senator, he offered to sell his vote for $2,000; that Raymond, the State printer, refused to pay it, saying that he had already paid him $900, and that was enough for that vote. Morgan was also chairman of the late republican State convention. The marriage, to which we have alluded, and his evil repute, encouraged a political associate named Hilliard, and a former sheriff, to run against him for the nomination of sheriff. The convention nominated Morgan; but Hilliard bolted and ran for the office, calling to his aid whatever opposition he could muster. At the end of the election in 1874, Hilliard, being in office, refused to give it up to Morgan, except upon terms to which Morgan refused to accede, and claimed that Morgan had not qualified according to law. Morgan proposed to take possession of the office by force of arms, and did so, and killed Hilliard, who resisted him, and with his party friends shot other adherents of Hilliard. This riot, occurring at the court-house, involved none but members of the republican party. (See deposition of Foote, page 1667.) Those who were killed and those who killed them were alike republicans. No democrat was concerned in it; but the friends of the murdered man caused the arrest of Morgan, who was committed without bail, waiving any hearing before the committing magistrate. He immediately, however, sued out a writ of *habeas corpus* before Chancellor Dreman, who, after a hearing of five days, refused to discharge him on bail, and recommitted him to prison. Morgan was then, at his own request, removed to the penitentiary at Jackson. He was, as his correspondence with Governor Ames shows, (see pages 102 and 103 of the documentary evidence,) on terms of close personal and political intimacy with Ames, and, according to the letter of Harris, the attorney-general, Ames removed Dreman because he refused to bail his friend Morgan, and appointed Walton chancellor in place of Dreman, who thereupon proceeded to hear the application of Morgan for a discharge, and discharged him on a recognizance of $5,000. Morgan re-appeared in Yazoo City, obtained possession of his office, and having political control of the county, no indictment was found against him or any of his friends for the murder of Hilliard or the shooting of Hilliard's friends, until the county passed into democratic hands by the result of the election of 1875, when an indictment for murder was found against him by a grand jury, from which indictment he is to-day a fugitive in the city of Washington, and appears as a witness before the committee of the Senate to assail the community whose laws he has outraged. That Morgan killed Hilliard must have been found by Chancellor Dreman when he refused, after a hearing of five days, to discharge him on bail, and the testimony of Foote (see page 1667) testifies to the same fact.

I went toward the sheriff's office to get my rubbers—it was raining—and when I went to the door I was met there by a brother of Colonel Morgan's, with a pistol pre-

sented, and he told me not to come in there or he would shoot me; and behind me was another man that Morgan had appointed as a deputy, and he had a pistol behind my head, and told me if I went in there he would shoot me. I stepped back and took my pistol out, and he went back into the room in a hurry, and I told him I would shoot him before dark; that was the man that drew the pistol on me.

Colonel Morgan was not there at that time; but we went up to Colonel Hilliard's house and told him of it, and he went down to Judge Hudson's office and consulted him in regard to what steps to take. He gave him some legal advice. He then got a crowd of men from among the old citizens there, none of them armed, and went down to the court-house; and when he went in the door Colonel Morgan went along behind him, and Colonel Morgan stopped in the front there and Colonel Hilliard went into his office, and as he opened the door they commenced firing on him in the office.

Q. On whom?—A. Colonel Hilliard.

Q. Who?—A. Frank Stewart, Will Morgan, and some others fired on him as he entered the door.

Q. Was Colonel Morgan firing on him, too?—A. No, sir; he was then standing in the door; he never attempted to shoot; but when I saw them shooting at Colonel Hilliard I then took my pistol and shot the man that first shot at Colonel Hilliard, and he fell on the floor; and then Colonel Hilliard came out running in a stooping manner, and when he got to the door Colonel Morgan fired at him, just as he got closeter than I am to that gentleman. He was stooping down, and the ball struck him on the back part of his head; the locomotion just stopped right there.

Q. You mean killed him at once; killed him in his tracks?—A. Yes, sir; and then I shot at Colonel Morgan in the door, and there was a fight——

Q. And did you hit him?—A. No, sir, I didn't hit him; and the other people, all his friends and all my friends, we took a general shoot at each other in the hall; it was a family fight.

Q. How many were wounded in that fight besides those you have mentioned?—A. Hilliard was killed and I was wounded. I got shot in the arm.

Q. Who was that man you shot?—A. Frank Stewart.

Q. Did you hit Morgan when you fired at him?—No, sir.

Q. Anybody else hurt in that *mêlée*?—A. None to my knowledge; I don't think that there was anybody else only Hilliard and me.

Q. How many were concerned in that fight all around?—A. I suppose Colonel Morgan had about fifteen or twenty men there armed.

Q. All his party friends?—A. Yes, sir.

Q. It was a republican quarrel from beginning to end?—A. Yes, sir.

Q. When was that?—A. That was on the 8th day of January, 1874, I believe.

How far the condition of feeling which led to the riot in Yazoo City on the 1st of September, 1875, had been brought about by the lawless action and defiance of all order by Morgan himself and his political associates is not easy to determine; but that he was himself a gross transgressor there can be no manner of doubt, and that such a man would never be permitted to obtain or retain office in the Northern States we believe to be equally true. The weight of the testimoney of such a witness we submit to just public consideration.

CLINTON.

The Clinton riot was productive of more public excitement than the three other riots which we have described. It has been the subject of more exaggerated statement than all the other three combined, and the facts attending it can now be stated with a reasonable degree of certainty. A political meeting, at which a barbecue was to be had, was called at Clinton, a village on the Vicksburgh Railroad, about twelve miles west of Jackson, the capital of the State. To give celebrity to the occasion, Governor Ames and other leading members of his party were announced to be speakers, and by an arrangement democratic speakers were also invited, and a portion of the time for discussion allotted to each. It was intended to be a grand demonstration on the part of the republicans, who attended in large numbers, estimated at from eighteen hundred to twenty-five hundred, of whom upward of twelve hundred were men. The whites were a mere handful, by the best informed witnesses supposed to be from sixty to seventy-five, republicans and democrats.

The number of white men who participated in the fight that ensued was probably from ten to fifteen. The parade of the republicans, composed wholly of colored men, was unusually large and carefully arranged. Eight hundred and ninety mounted colored men were counted by Captain Montgomery in the procession, (see his testimony, page 543,)

NUMBER OF WHITES AT CLINTON MEETING.

Q. How many white people do you suppose were present at the Clinton meeting; at the original meeting?—A. At the barbecue?

Q. At the barbecue.—A. I think not over twenty-five or thirty; thirty at the outside.

NUMBER OF COLORED PEOPLE AT CLINTON MEETING.

Q. How many colored people?—A. I counted 800 men in line, cavalry.

Q. Besides that, how many?—A. Besides that there were, I reckon, 400 or 500 on foot, besides women and children. I don't know, but I reckon there was a crowd of two or three thousand altogether.

Q. You went up to be one of the speakers, but did not speak?—A. Yes, sir; I did not speak.

Q. You were entirely unarmed?—A. Entirely so.

while companies on foot to the number of many hundred were counted by the same witness. Many, perhaps the majority, of these men on foot and horseback were armed, and this procession so formed moved out of its necessary line of March to the place of barbecue, and paraded through the town of Clinton. The place of speaking was on a hill just outside of the town and near the railway-station. The speaking was commenced by Judge Johnston, a democrat, in a very temperate and conciliatory speech, as described by every witness who was examined. He was followed by Captain Fisher, a republican; and during the remarks of Fisher, a collision took place between a young white man and a colored man, about one hundred yards from the speaker's stand.

Comments had been made upon Fisher's remarks, and rude contradictions of their truth by one young white man named Neal, from the town of Raymond, standing in a group of two or three of his companions not many feet from the speaker's stand; but Captain Fisher in his testimony, (see page 536,)

Q. Was your speech interrupted by the shooting or disturbance that occurred, or were you interrupted by remarks made?—A. I do not know that any remarks were made to me; *if there were I did not hear them.*

Q. We have had a great deal of testimony about the Clinton affair, and the witnesses were not certain, when you were speaking, whether you heard these interruptions noticed by men standing by, and I thought I would ask you whether you heard them or not.—A. I heard, subsequently to the riot, when I got home, that such expressions had been made in regard to portions of my speech, or as having reference to myself; but I did not hear them, and if I had heard them I should not likely have paid any attention to them.

distinctly says that he did not hear these remarks, nor was his speech interrupted by anything that was said in the crowd, but that the interruption to his speech arose from the affray between the white and the colored men to which we have referred; that the white man in question had a bottle of whisky from which he had been drinking, and which no doubt was the proximate cause of the affray that then took place. Immediately upon the collision between these two a pistol-shot was heard, and there is conflict of testimony as to the person who fired it. It was immediately followed by a general discharge of fire-arms, and in the mêlée, which caused intense confusion, two colored men were killed on the spot and four or five were wounded. The negroes were rallied and commenced pursuit of the whites, who, in a group numbering about eleven men, retreated from the field.

Martin Sivley and Thompson, white men, were overtaken, killed, and their bodies mutilated. Thompson was found in the public road, nearly

a mile from the scene of action, shot through the head. Charles Chilton was killed in his own yard, and, as it appears by the testimony of Captain Montgomery, (page 543,)

ABOUT THE WHITE MEN KILLED.

Q. Did you know any of them?—A. No, sir; I did not know any of them.

Q. Black men or white men?—A. They were black men that I saw there—just lying there, and we afterward found the body of Mr. Sivley and Mr. Thompson and Mr. Chilton. Mr. Chilton was shot right near his house—the very man I had taken dinner with, and there was not a more quiet, inoffensive man in our county. It was Charles Chilton, the brother of John Chilton, who had before that been an active republican, and a leading republican of the native Mississippians of our county; and at that riot he threw up the sponge; he said he had given $100 in money and in beef, and the heart's best blood of his brother that day, and he was done.

Q. By whom was his brother killed?—A. By the negroes.

Q. How far from the original scene of the riot?—A. Right at his own gate he was shot; that was 100 yards, I suppose.

Q. Was he in the affray?—A. No, sir. There was such a stampede and rush that the negro men were riding and running over their women and children; and there was such confusion and hallooing that he ran out to his gate. He carried his gun with him, though, which was very natural; and he handed his gun to a negro boy standing by him, and said, "Take this." Now, that is the way the thing was told me. He was standing there helping the women and the children into his yard to get them out of the way of the stampede and of the horses, and as he turned his back some of the men in the road fired and shot him.

After finding that there was no armed body on the top of the hill, and several men from the town began to assemble—but before that time the negroes had gone off in companies, and they seemed to be assembling, and I thought we had better make for the depot and get possession of that, and send for assistance to some other point to help us—for I thought it was very likely that there were not white men enough there to hold the town against the negroes should they be disposed to attack it—which we did.

was endeavoring to let the black women and children into his yard to escape the press of the crowd behind them when he was shot. Captain White was shot, stabbed, and left for dead. Rice, Wells, Wharton, and Robinson, white men, were all wounded, with others whose names are not obtainable.

The excitement of the scene and consequent confusion created the wildest and most variant rumors. The negroes were reported as massing at a short distance from the town, proposing to attack and destroy it. Their declarations and cries during the conflict had been of an alarming character, and spread great dismay among the citizens. Instantly the telegraph was put in requisition, and bodies of men at Vicksburgh, Jackson, and Edwards' Station hastily met together, armed with every variety of weapon, and, taking the train, reached Clinton on the evening of Saturday after the riot had occurred, and the negroes had left the town.

A hasty attempt at organization was made by the election of Capt. William A. Montgomery to the command of this unorganized and hastily collected force to the number of several hundred. Captain Montgomery testifies (see page 545) that he immediately caused a mounted patrol, led by him in person, to make a circuit of the town, and ascertain whether any immediate attack from the negroes was to be apprehended. He discovered no one, and no shot was given or returned between his party and the colored men, nor was there any collision or disturbance whatever. He returned to Clinton, where the white men had collected under arms, and finding a want of subordination among them he resigned his position as commander, because he would not take the responsibility of preserving the peace without having the power to do so. This is much to be regretted, for by the testimony of all witnesses who have made any reference to Captain Montgomery, as well as by his own testimony before the committee, he is evidently a man of high and cool courage, of generosity and integrity of character.

Thus left without a leader and deeply excited by the events of the day, infuriated by the murder and mutilation of their white friends, mob-law soon became triumphant among the whites collected at Clinton. The white men killed are shown to have been estimable and popular citizens. Chilton met his death while endeavoring to protect the colored women and children, and had handed his gun to a colored man in his employ at the time he received his death-wound. At page 543, Chilton is proven to have sent provisions down to aid the colored people in their barbecue. Martin Sively had no connection with the commencement of the affray. The number of wounded whites was unknown, and was doubtless enormously exaggerated. As a consequence, the more violent and lawless of the men who had collected under arms obtained the ascendency. They visited the homes of the negroes in the vicinity of Clinton who, they had been informed, had been connected with the affray and the killing of their friends, and outrageously took the lives of seven or eight of these men. It was a reign of terror and lynch-law in that neighborhood from late on Saturday night until Sunday morning. After that time no distinctly-authenticated case of murder growing out of the Clinton riot was established before the committee.

The circumstances of the riot were carefully and diligently examined by Mr. Frank Johnston, of the town of Jackson, together with Mr. Chilton and Judge Cabinis, within a few days after the occurrence. Diligent inquiry was instituted by these gentlemen, and a number of affidavits from white and colored men, democrats and republicans, were taken at the time and at the town of Clinton. Mr. Johnston was examined before the committee at great length, and appended these affidavits to his testimony. His cross-examination developed nothing in contravention of the conclusions at which he had arrived in September, 1875. His deposition will be found at pages 329–378 of the testimony, and the reliability of his statements is attested in the strongest terms by all the republicans who have been examined in relation to this affair. Judge Alderson says of Mr. Johnston, at page 301:

By Mr. CAMERON:

Q. If Mr. Frank Johnston made a statement that he had made a thorough examination, would you conclude that that was absolutely true, or merely that he really believed that he had made a thorough examination?—A. I would not conclude anything; but whatever Mr. Johnston would investigate and state upon his word of honor, that I would give credit to. In short, I do not know a man for whose moral worth I have a higher respect than I do for Frank Johnston's.

And his high character is equally attested by Judge Swann, Mr. Estelle, and every republican witness who was examined in regard to the Clinton transaction. His profession is that of a lawyer, and his residence within twelve miles of the scene of disaster. So that we feel justified in accepting the statement of facts and the conclusions of Mr. Johnston as perfectly true and reliable. He is sustained in substance by nearly every witness who was examined.

Capt. H. G. Fisher, who was the compiler of Mr. Morton's speech, and was one of the speakers at the barbecue, stated his difficulty, even after the most careful investigation, in ascertaining reliably the names of more than four or five colored men who lost their lives on the occasion. There seems to be no just reason to doubt that the collision was entirely unpremeditated, certainly so on the part of the whites who were present, as it would have been little less than madness for twenty-five or thirty white men, not more than half of whom were armed, to have precipitated a conflict against such overwhelming odds. (See Fisher's testimony, pages 521 to 523.)

As an illustration of the absence of any anticipation of difficulty on the part of the whites, we refer to the testimony of Captain Montgomery, (page 541,) by which it appears that, having been asked to fill the appointment of another democrat who had intended to speak at Clinton, he attended the meeting without even a pocket-knife upon his person; and that, taking the train from Edwards' Station to Clinton in company with Harney, the colored sheriff of the county, he remarked in reply to an observation of Harney that he was totally unarmed, but that he believed that of the posse of twenty-five colored men whom Harney had on board, twenty-four would be found to have weapons upon their persons, and upon an examination by Harney it was found to be true in the case of more than two-thirds. (See page 541.)

It will be borne in mind that this affray occurring between a mere handful of whites and a large and organized body of colored men who were to meet in the presence of the governor of the State, their peculiar and especial champion, who had, to use his own words, "united his fortune with theirs;" who held the entire executive power of the State; was also in a political stronghold of the republican party which controlled every peace officer; that every means of repressing or punishing disorder was in the hands of officials of that party; that within twelve miles was a force of United States troops encamped for the alleged purpose of suppressing riot. It seems impossible to believe that such a collision could be brought on by the minority under such circumstances with a view to produce political effect. Such a view is irreconcilable with any suggestion of human motives of which the undersigned have any knowledge.

It may here be noted that Major Allyn, in command of the United States troops stationed at Jackson, was at Clinton on the night of the riot, (see p. 331,) and was in Jackson during the sessions of the committee, in intercourse with the majority of the committee, but not examined as a witness.

This, we believe, comprises a list of the public disorders prior to the election in relation to which testimony has been taken by the committee. There are other cases of homicide and violence, to which we shall hereafter refer. The murder of William P. Haffa, a white man, as detailed by his wife at page 483, and by the testimony of Captain Montgomery at page 547, occurred on the 6th of September.

This murder of Haffa seems to have been an atrocious crime, and two important facts appear in the testimony of his widow and daughter, (see pages 483–490,) one of which is the failure in public duty, which cost Haffa his damages in a civil suit against two parties named Bush, who had assaulted him—was that of Lake, a republican United States official at Jackson, (see page 487;) and, secondly, that the names of the persons who murdered her husband are well known and given, and that she went to Governor Ames with her sad story.

Why, may it be asked, did not Governor Ames order the arrest and trial of one or all of these murderers? The only notice he seems to have taken of Mrs. Haffa was a very moderate subscription—to the more liberal one already made by Captain Montgomery, a democrat.

Mr. Haffa would not appear to have been altogether the blameless citizen described (naturally) by his widow.

Capt. W. N. Montgomery testifies, at pages 547, 548, as follows:

ABOUT MR. HAFFA.

It was about that time that Haffa's death was reported.

Q. State what you know about that.—A. I don't know anything about it of my own nowledge. I knew Mr. Haffa.

Q. Who was he?—A. He was a man that was from Chicago, brought there by Dr. Robinnett, for the purpose of working on his farm, some seven or eight years ago. I got twenty at the same time myself.

Q. Twenty what?—A. Twenty laborers from Chicago at the same time, white men; and, by the way, the last one of them ran off and stole all my mules, and I lost every cent that I made. This man Haffa was one of them that Dr. Robinnett got. He worked about three days with Dr. Robinnett, and then went to William Bush's and hired himself to a negro man who was renting from William Bush. After living there two or three weeks, and doing a good deal of mischief, Mr. Bush and some others went over there and took him out and gave him a flogging, and Bush was up before the United States court, but the suit was dismissed. This flogging placed Haffa in a position to get office from the negroes, and at the next election he was elected to the legislature. He was then a magistrate, and had been for several years teaching school there. I know nothing about him except what the neighbors there said. He was a very bad man, I judge, from everything that was said about him.

Q. Do you know what his reputation among the blacks was?—A. I received a dispatch inquiring for some one who could testify in regard to the Haffa case from here, and the first man that I inquired about was a negro man living on my place, who brought the dispatch from the telegraph-office to me—I live five or six miles out in the country. I asked him if he knew anything about the killing of Mr. Haffa; and he says, "No, sir, I don't; but he ought to have been killed long before he was." I said, "Why? I thought he was a good friend of yours." He says, "No, sir; he done too much stealing in this country, and he ought to have been killed long ago."

If this will be allowed as testimony, I will say what this negro told me about Haffa. He says, "Well, sir, when he was elected magistrate he sent for all of us to come up and get our mules that the Government was going to give to us, and he said that it took $5 apiece to get the mules and pay the freight on the mules." And he said that they gave him $5, about 200 of them, but that he did not give $5, as he did not have it; and at the time appointed to get the mules they came there, and Mr. Haffa said that they had so many mules for the blacks down there, and they had such a great long train of them, that in passing underneath a tunnel the whole thing caved in and killed every mule, and they lost their $5.

I said, "You are surely mistaken; you are joking about that." He says, "Joking! I am not joking; I can get you a dozen men in five minutes that gave him $5." Well, on inquiry, I found that his reputation was very bad among the negroes, although he had been elected to office by them.

Q. Do you know anything of the circumstances of his death?—A. Nothing in the world.

Q. Did you hear of it at the time?—A. Yes, sir; I heard of it; and why it should be done for political purposes—I have no idea that there were any political purposes or object in the killing of Mr. Haffa, because he had many fallings-out with his neighbors; he was a terrible man to fall out with his neighbors, and they had all sorts of difficulties with him.

I have no idea that there was any politics in the killing of Haffa in the world. It was not on account of any political differences of opinion that Haffa was killed.

Q. Had you any application from Mrs. Haffa for assistance?—A. I had; and paid her $50 at Edwards' Depot. She came there and applied to me for assistance.

NEGROES ORGANIZED AND MADE MANY DEMONSTRATIONS AND THREATS AFTER CLINTON.

After this difficulty was over in Clinton the negroes organized in companies throughout Hinds County, and made many demonstrations and threats to make an attack upon the town and kill all the people; sent in word that they were going to commence from the cradle and go up. Well, sir, living in such a country as I do, it is well calculated to arouse a man's fears, if he has got any. I live on a public road, myself and one other white man, and there are seventy-six negro men on the road and only us two white men; and it is very reasonable that if they wanted to hurt us they could do so.

THE WHITES ORGANIZE TO PROTECT THEMSELVES AGAINST THE ENCROACHMENTS OF THE BLACKS.

We organized ourselves into companies for protection then against these negroes, into military companies. I was captain; was elected to take command of five or six of them, in different parts of the county. It was simply and purely for protection; not for any political purpose in the world, but to protect ourselves against the encroachments of the blacks.

HELD TO MRS. HAFFA.

Q. Why was this application made to you by Mrs. Haffa?—A. As being in command of this military company, I suppose she was sent to me by some one. She was inquiring about where she could get assistance, and she was sent to me. She told me that

Haffa's father was a man of considerable wealth and influence, and that when she could get home she would be cared for, and she wanted to get her family out of the country; and I handed her $50. Where she went I don't know, and I have never seen her from that time to this, and I never saw her before.

Q. Was that a gratuity of your own to her, or did you owe that money to her husband?—A. No, sir; I never owed the money to anybody. After I handed her the money some of the men there in the neighborhood went around and got up a subscription.

This does not in the least lessen the crime, but may have weight in assigning some other cause than political prejudice as the origin of his murder.

The result of the Clinton riot and the affray at Yazoo City had the effect of aggravating the excitement and feeling between the two races. Instead of causing the law to be respected by a prompt and vigorous use of its powers, it would not appear that Governor Ames and his State administration took any of those steps which under a government of laws a ruler should have taken to punish the offenders and prevent the recurrence of wrong. We have not been able to ascertain that a prosecution was ever set on foot against any one connected with these riots, or any attempt whatever made to apprehend and punish any of the wrong-doers. On the contrary, it would appear from the order-book of Governor Ames, which was produced before the committee (see testimony of E. Barksdale, page 468,) that his favorite and only remedy—the bayonet—was looked to by Governor Ames. On the 24th of September a circular-letter was addressed by Ames to the republican sheriffs of certain counties in the following words:

SEPTEMBER 24.

SIR: I am directed by his excellency the governor to inquire *if any* militia organizations are needed in your county to assist the civil officers?

Are there any threats from the opposition, that, in your judgment, will be carried into effect; and, *if so*, will it be possible to hold a quiet and peaceable election?

It will be observed that this letter was not in response to any application for aid, and had evidently not been preceded by reports from any quarters of violence, either actual or apprehended. Governor Ames was plainly seeking for information that would justify, or rather give him the pretext for the use of armed militia. He inquires "*if*" there were threats from the opposition, and whether, in the opinion of his agents, such threats would be carried into effect; and, "*if so*," whether a peaceable election would be held. Nothing could more strongly show the temper and intent of Governor Ames than this spontaneous, unsuggested solicitation of opinion from his partisan sheriffs, for no such inquiry was directed to any but his political confidants.

The answers to these circulars do not appear, but the suggestion no doubt was accepted and produced the desired results. The negroes were thus informed that they were to receive armed protection, and that they were to be armed themselves for political purposes.

In a speech made by the colored brigadier-general, Gray, when he returned to Washington County after an interview with Governor Ames, to which allusion has been made, the announcement was publicly made by him that Governor Ames was to give the colored militia arms to secure the election; and such no doubt was the information given in other parts of the State.

In pursuance of this policy of intimidation and violence we find on the 6th and 7th of October special orders published by the adjutant-general, which clearly explain themselves

[Special Orders No. 10.]

OCTOBER 6, 5.

Brigadier-General William F. Fitzgerald, fifth division Mississippi State Militia, will order Captain W. C. Mosely's Company D, Second Regiment Infantry, Hinds County State Militia, stationed at Edwards's Depot, as soon as arms and ammunition are distributed to them, to report at Jackson, Miss.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

[Special Orders No. 7.]

OCTOBER 7, 5.

Lieutenant-Colonel O. L. Lee, aid-de-camp on the staff of the commander-in-chief, is hereby ordered to proceed to New Orleans, La., to make any and all arrangements with the N. O., Lt. L. & C. R. R. Co., for transportation of troops and supplies of the Mississippi State Militia.

By order of the commander-in-chief:

A. G. PACKER,
Adjutant-General.

And also the following correspondence:

OCTOBER 4.

DEAR SIR: I am directed by his excellency the governor to inquire if it is possible for us to obtain cars for transportation of (300) three hundred men, and equipage for 200 more. The equipage will require a box-car. The time for using the train to be fixed at a day within the next two weeks. Train to run from Jackson, Miss., to Vaughan's Station, and to remain under orders until the men are returned to Jackson.

Very respectfully,

A. G. PACKER,
Adjutant-General.

E. D. FROST,
General Manager N. O. A. L. & C. R. R., New Orleans, La.

OCTOBER 4.

SIR: Yours of the 3d ultimo received. General orders are issued for the militia of the State to enter active service; your offer will receive due consideration.

Very respectfully,

A. G. PACKER,
Adjutant-General.

W. R. STEWART, Esq.,
Kirkwood, Miss.

OCTOBER 1.

SIR: Can you furnish five thousand (5,000) rations of pork or bacon and bread, under the authority granted by the Secretary of War, for the militia of this State?

If possible, ship immediately to William Noonan, superintendent State penitentiary.

Very respectfully, your obedient servant,

A. G. PACKER,
Adjutant-General.

To the COMMISSARY OF SUBSISTENCE,
Department of the Gulf, New Orleans, La.

SEPTEMBER 2.

SIR: I am directed by his excellency the governor to transmit the inclosed duplicate requisitions for ordnance and ordnance stores on the quota of the State of Mississippi.

I have the honor to be, very respectfully, your obedient servant,

A. G. PACKER.
Adjutant-General.

Brig. Gen. S. V. BENÉT,
Chief of Ordnance, Washington, D. C.

SEPTEMBER 27, '5.

D. APPLETON & CO.,
Broadway, New York, N. Y.:
At what price will you furnish one hundred copies Upton's Infantry Tactics, and ten sets of copies of the three different arms? Answer.

A. G. PACKER,
Adjutant-General Mississippi.

SEPTEMBER 27, '5.

Brig. Gen. S. V. BENÉT,
Chief of Ordnance, Washington, D. C.:
Can you furnish fifteen hundred haversacks on our quota? At what price? Please answer.

A. G. PACKER,
Adjutant-General Mississippi.

Can there be any doubt of the object and intent of this correspondence?

These warlike preparations so made by the governor of the State were not only known to the citizens, but created in the minds of the colored population the belief that all the powers of the State were to be arrayed in behalf of their political party, and brought upon the whites the conviction that they were to be placed not only in great danger of losing their political liberties, but also their lives and those of their families. The condition of feeling created by such a belief cannot be justly estimated and considered in the calm security of a committee-room as in the seclusion of a country home where a planter resides, far distant from any white neighbor, too far for the cry for help to reach any friendly ear, and knows that he is surrounded and fearfully outnumbered by men of a different and antagonized race, a race which while possessing many amiable and placid virtues, is yet highly animal in its organization, and, once becoming infuriated, will, as history has but too frequently shown, be capable of brutal excesses which their reasoning powers are entirely inadequate to control.

As a result of Ames's threatened organization and arming of the black militia, the threats of the blacks multiplied. Their habit of meeting was always at night, surrounded by the mystery of darkness, and the refusal to allow white people to take part in their assemblies, p. 547:

THE STATE MILITIA.

Q. Was there apprehension in the minds of the white people in Mississippi, growing out of the organization of the negro militia by Governor Ames?—A. Yes, sir; a very grave apprehension. This militia was organized some time after the Clinton riot. These companies that were at Clinton, that ran off from the scene of action, the most conspicuous members of the Clinton riot, were taken to Jackson and were organized into military companies by Governor Ames, and guns placed in their hands, and sent back to their homes. They said they were afraid to go back; but those who were afraid to go back had taken a very active part in the riot, and in staying away they induced others to stay, because they knew that if they should go in that capacity the governor would be pretty apt to put them in military companies, and they would go back home with their guns, drawing the pay of $16 a month, which was just as good as they could do at work at home; and of course quite a number of the most ruffianly fellows were organized into this militia, and they came down to our place.

Q. Now, as a fact, in your county were the white companies that you speak of, such as you commanded, organized subsequent to the negro organizations you have spoken of?—A. Yes, sir; we never thought of organizing until we found the negroes organized and drilling at night, for some purpose which we could not tell, as no white men could get in among them. They were drilling and were organized all over the county before any movement took place on the part of the whites.

Their political consolidation is shown by every witness to have been complete, and that so organized they were wholly and helplessly in the hands of the few white adventurers who were their absolute political owners. On this point see the testimony of Mr. Walton, the present republican United States attorney in Mississippi, at p. 49–50:

ORGANIZATION OF THE BLACKS.

Q. What is the nature of the organization, so far as you know, among the colored people?—A. Well, sir, it is one of those cases which, in my judgment, arises always out of the existence of a class of people who are ignorant, and who are comparatively helpless in the presence of a much more powerful body of people who, although they may not be stronger in point of numbers, are stronger in point of force and intelligence. The negroes consequently herd together. They do so publicly, and they do so more especially in secret. That is to say, there is a silent organization, existing not professedly as an organization, but existing still, in point of fact, everywhere that I have ever been, which prevents the intercourse between the two races from being candid and free.

NO MUTUAL CONFIDENCE BETWEEN THE RACES POSSIBLE.

I am, myself, very well acquainted with negroes; I have always been in the habit of dealing with them a great deal; I have always worked a good many of them; and I must say that my intercourse with them has been of a character to make me believe it impossible for anything like mutual confidence on political questions to arise between the white people and the negroes. I don't see how it ever can arise, and I do not believe, myself, that it ever will. I think this is due to the enormous gulf between the races in all social relations—that confidence which springs from personal friendships and an unrestrained social intercourse being, in my judgment, an essential cement to a political party, and being absolutely out of the question between the white and black races.

Q. You speak of an organization among the negroes; what do you mean by that—that they are organized in bands, under the command of any particular persons, or that they are associated together from the fact that they are of the same race and community of interests, or both?—A. They are not organized in bands.

Q. Or in companies, under officers, and having a general head?—A. Well, in the first place, they have their clubs, just as any other political organization has its clubs. I have never been inside of one of their clubs, but then they never have asked me, though the clubs were republican in their name, and republican, I suppose, in their character. They have generally acted in such a way as to leave me to believe that they did not want my presence there. Although they are quite near my house, I have entirely abstained from going there. And when the county conventions would meet, I have observed that the negroes in these conventions very strongly resisted white influence, and consequently it became disagreeable, inasmuch as there was such disposition, to the white people to have anything to do with these conventions. It became unpleasant personally, and it produced an impression which it was hard to avoid. I have always found it practically impossible for me to avoid it—the impression that these meetings meant nothing but the organization of one race against another. The truth is, that a white man, especially a Southern white man, belonging to the republican party, does not seem to be any more acceptable as one of their counselors or advisers than one who belongs to the opposition. Although my connection with the republican party has been undeviating, and I believe I have escaped from any personal reproach in that connection, I am quite certain that my personal influence with the negroes is not a bit greater than that of any democrat in my county; not a particle. I am quite certain that I was never able to influence a vote or influence a colored man on any single question of politics; which I confess with some mortification.

Governor Ames seemed disposed to fan the flames of excitement and race antagonism to their utmost height. As an illustration of this it was desired to transport some arms and munitions of war from Jackson to Edwards' Station, between which points a railroad was in operation; but Governor Ames sent these arms, convoyed by a negro militia company, fully armed, in command of Caldwell, a colored State senator, to march through the country with drums and flags and all the pomp of war, having no other result than to intensify the alarm already existing. (See Barksdale's testimony, p. 472.)

Mr. Johnston, in his testimony at page 334, says, in regard to this and other acts of Governor Ames:

On all hands and from all classes of white citizens I heard but one expression in reference to this militia, which was that it was intended by Governor Ames to use that militia to bring about a collision of the races, and the expression was used that it was his ultimate purpose to afford a good pretext for getting United States troops here to carry the election.

The result of such a course of action was made manifest all over the

State wherever the negroes existed in superior or approximate numbers to the whites. The citizens of Canton, in Madison County, turned out and picketed their town for weeks at night before the election. (See testimony of Mr. Powell, mayor of the city, page 874.)

White men were afraid to let their families remain in their houses in the country, (see testimony of Capt. William A. Montgomery, page 553,)

Q. You don't live under any apprehension of their injuring you, do you?—A. *Well, for myself, I will tell you, when I have seen my neighbors running off, and have sent my family away, I have staid right in my own house on my place, but I must say that I had apprehensions.* If left alone I would never have been afraid of them, but I knew that there was something brought to bear upon them from the outside, and they might not be able to resist the temptation.

Q. How many years have you been living at your present place?—A. Always—since I was nine years old.

Q. Some of those negroes were on the place before the war and remain there now?—A. Nearly all of them.

WITNESS AND OTHER WHITES LIVED IN FEAR OF ASSASSINATION.

Q. You mentioned that you had lived in fear of assassination from the negroes?—A. Yes, sir. I never stated that exactly—that I lived in fear of assassination; I said my fears were aroused sometimes. Senator Bayard asked me if I was afraid, and I said that sometimes my fears were so strongly aroused *that I sent my family off, but I staid there myself.*

Q. You may have stated that the people were living in fear of assassination, your neighbors perhaps; was that what you meant?—A. Yes, sir.

and evidence of this state of feeling will be found multiplied throughout the testimony.

The apprehensions of both races thus excited grew to fever-heat, and a condition of affairs absolutely alarming to the stoutest hearts prevailed all over the State of Mississippi, and at last penetrated the mind of Governor Ames himself. His plans had worked but too well. He had conjured up a spirit of despair and anxiety upon the part of the unhappy people over whom he had been placed in rule which threatened to wrap that State in flame and blood. It was no thanks to him or his advisers that this result was not reached at the time or preceding the election in November, 1875. From every quarter evidences reached him of this state of affairs. He had never conciliated the people. He had never sought to learn how far concession, and justice, and kindness, and sympathy, and a recognition of their tastes, prejudices, and habits, would go toward procuring good government among a people. He threatened to restore Morgan, the sheriff of Yazoo County, to his place by force of armed militia; and the troubles in that county, which led to the killing of several colored republican leaders, the demoralization of the republican forces, and their practical abandonment of the canvass, are directly traceable to the threat of an armed military expedition organized by Ames to replace Morgan by force in the sheriff's office, then held by another white republican.

The arming of the citizens of Yazoo County, their organization into companies, under the lead of their most conservative and respected citizens, in some of which white republicans were enrolled, was for the avowed purpose of resisting the approach of the colored militia of Ames, intending by force to replace Morgan, the slayer of Hilliard, in the office of sheriff. When once a condition of desperation and excitement has been created in any community, it is in vain to look for the rule of peace and law. The perturbing force that breaks down one law or the law destined for the protection of one man or one class of men in a community necessarily levels all law. It is like a fire which consumes all in its path. When, therefore, responsibility is to be affixed, shall we seek the cause or content ourselves with describing consequences only? Gov-

ernor Ames had, either ignorantly or willfully, built up a condition of animosity and antagonism between the white and colored people of the State of Mississippi dangerous to the safety and peace of both, until excitement had usurped the place of reason, and force, with its remedies, had in some few localities taken the place of law.

There is no evidence that Governor Ames sought to exercise any of the civil powers intrusted to him for the pacification of these disordered localities. As usual, his recourse was had to the armed power of the Federal Government, and his correspondence with the Attorney-General and Secretary of War are well known to the Senate and the country. Failing in establishing, and being unwilling to allege, that condition of affairs within the State of Mississippi, which alone under the Constitution of the United States authorizes the armed intervention of the Federal Government, the scruples of the President and his legal adviser, Mr. Pierrepont, withheld troops from the aid of the republican party in Mississippi. At page 2, of Governor Ames's testimony, he testifies as follows:

> In view of that state of affairs I applied to the President of the United States for the protection of the United States, which was not granted. Subsequently, the Attorney-General, I presume at the suggestion of the President, sent an agent and two detectives *at my request.*

We may pause here to consider this new feature in American government. There is no such power known to the Constitution or laws of the United States as the employment, by the Attorney-General of the United States, of detectives to inquire into and report the police condition of an entire State. The governor of the State confessed by his application that there was no one capable and sufficiently reliable to judge of, and report upon, the true condition of affairs in his own State, and three men, entire strangers to the people of Mississippi, were sent among them to examine and report whether a state of affairs existed which would authorize the interposition of the Federal Government by force of arms in the local disorders of that State. What possible authority can be urged for this attempted delegation of the highest discretionary power vested in the executive of a State?

UNITED STATES DETECTIVES.

About the 9th or 10th of October Mr. Chase arrived in Mississippi, and took up his abode in the gubernatorial mansion with Mr. Ames. He has been examined as a witness before the committee, and his testimony will be found at page 1810–1819. Whatever may be the opinions of the irregularity of his mission and its want of constitutional or legal warrant, all well-meaning men will concur in a sentiment of satisfaction that he was sent. He states that he found Mississippi in a state of profound and dangerous excitement, the two races armed, ready and liable to collision at any moment, the State administration totally without influence or power to restrain the passions of either side. He discovered that the governor of the State had not even a personal acquaintance with the leading and most influential white citizens who were leaders of the democratic and conservative organization, and his first effort was to bring them into amicable council and personal acquaintance with each other.

The result of his offices was to produce an agreement anomalous in American history, and highly suggestive of the state of affairs into which Governor Ames's maladministration had brought the State of Mississippi. There was a committee of the leading white citizens of

Hinds and some of the adjoining counties held on the 16th of October, 1875, to whom Mr. J. Z. George and others, who had just had an interview on the subject of political affairs with Governor Ames, stated the result of such interview, that he had received information that it would be agreeable to his excellency Governor Ames to have a conference with some of the citizens of the State in relation to the present condition of affairs, and in accordance therewith he had arranged for an interview, which had just taken place. The citizens attending were Joshua Green, D. Shelton, E. Richardson, J. W. Robinson, H. Hilzhiem, T. J. Wharton, Frank Johnston, J. C. Rietti, Robert L. Saunders, General Robert Lowry, W. L. Nugent, and J. Z. George.

The interview had been full and frank on the part of the citizens and the governor, and the governor announced to the committee that in consequence of Col. A. T. Morgan's refusal to go back to Yazoo County, he had abandoned the purpose of sending him there with two companies of militia, one white and one colored, *which had been his original purpose*, and that he had also countermanded an order for guns to be shipped to De Soto County.

After this a conference ensued between the citizens and the governor in relation to the disbanding of the militia. The citizens, in response to fears expressed by the governor that peace and good order would not be preserved, and that colored men would not be permitted to vote as they pleased, assured the governor that there was no other desire among the whites than that peace should be preserved, the laws enforced, and a fair election had; that the leading whites had all along inculcated this; and they also assured the governor that they would pursue this course until the election, and would, both by precept and example, do all in their power to preserve peace and good order and secure a fair election.

The governor said his whole object in calling out the militia was to preserve order and suppress disturbances; that he was originally opposed to arming the militia, and under all the circumstances, as he deemed it, *was forced to do so;* that in view of the statement of citizens he was willing to meet their views as far as he could, and to this end he promised that he would order all the militia companies which had been organized to disperse and go to their homes *with their arms.* But on further consultation it was agreed that the arms of the several companies organized should be deposited in depots in the neighborhood in which the companies were raised, and should there be guarded by United States troops to be detailed for that purpose, and to be under the control of the governor, and to be removed only by his orders; or, if United States troops could not be gotten, then the arms were to be guarded by men selected and agreed on by the governor and Mr. George; that the arms should not again be delivered to the militia except in case of riot or insurrection which could not be suppressed by the civil authorities. The citizens above named expressed themselves satisfied with the arrangement. After this report and some discussion, the following resolution was adpted:

Resolved, That the foregoing citizens and also the following additional gentlemen, to wit, Messrs. William A. Montgomery, E. W. Cabinis, T. C. Catchings, George G. Manlove, A. M. Harlow, Colonel Gilbrath, Dr. Moore, and Judge Chester be requested to go to Governor Ames, and tender the thanks of the meeting for what he has done, and represent to him that it would be better and more satisfactory if he would agree that all the arms should be guarded in Jackson.

The committee waited on Governor Ames, and he declined making any change of the arrangement which had been agreed upon between

him and the citizens. He was asked if arrangements with the citizens included the idea that no more militia would be organized. He answered, "that nothing was said on that subject expressly, but it was his purpose and intention to organize no more."

The committee returned to the meeting and made report of the second interview, and what was done was deemed satisfactory, and the meeting then adjourned after requesting the report of the interviewers with the governor to be reduced to writing and made public, (p. 356.)

The effect of this agreement, or, as it has been constantly termed by the witnesses, "treaty of peace," was highly favorable to a better condition of things, and did much to allay the excitement and political antagonisms which were so rife at that period. Some of the results of this conciliatory course were shown by the nomination of joint committees by the two parties in several of the counties upon the fair basis of compromise and good government. Men of character, republicans and democrats, were thus placed upon the same ticket in Madison County and in other counties, and, as a consequence, no further collisions of a serious nature took place during the remainder of the campaign and including the day of election. The election-day itself was marked by an absence of even the usual personal collisions which take place in almost every community in the United States when party excitement runs high.

An answer to the general allegation that voters were intimidated from casting their votes, is to be found in the pregnant fact that the republican vote in the State of Mississippi in 1875 was within 3,291 of the vote polled by that party at the last preceding general election in 1873. (See election tables, in the testimony of Governor Ames, at pages 37 and 38, and documentary evidence of the committee, page 144.) The combined vote of Ames and Alcorn for governor, in 1873, (see page 138 of documentary evidence,) was 126,378, and the total vote of both parties in 1875 was 155,886, showing an increased total vote throughout the State of 29,508.

It is abundantly established that for the first time since 1868 the democratic-conservative party was perfectly united and thoroughly and well organized, and conducted their campaign with an unprecedented interest and vigor. The republicans, on the other hand, were, as we have shown, disorganized and discouraged by schisms in their party, many of them, black and white, thoroughly disgusted with the conduct of their rulers, and, to use the language of Judge Harris, heretofore cited, were convinced of the "imbecility and base corruption of the State administration and a few adherents."

There can be no doubt also that a considerable and encouraging inroad was made in the heretofore impenetrable phalanx of the colored vote, a considerable portion of which was cast for the democratic ticket in Hinds County, the official residence of Governor Ames himself, as well as in many other counties, which reasonably and fully accounts for the increase in the democratic vote and the changes. Increase and changes in vote even more remarkable can be found in the election-returns of the States of Massachusetts, New York, and Indiana, not to mention other States, in the election of 1874.

The whole number of witnesses examined by the committee was . Their testimony relates to 22 counties, leaving 51 counties in the State in regard to whose affairs no fact of any character was alleged before the committee. Of these 22 counties, the chief portion of the testimony related to Warren, Hinds, Monroe, Chickasaw, Madison, Lowndes, Claiborne, Amite, Yazoo, and Washington.

Warren County.—Warren County, which contains the city of Vicks-

burgh, is one of the most populous and wealthy in the State, having a white population of , and a negro population of . There were witnesses examined in relation to the affairs of this county, which may be summarized as follows:

That which gave rise to most turbulence and disorder in the spring of 1875 in the county was the contest between Bedford, the white deputy of Crosby, the negro sheriff, and Flanagan, a democrat, both seeking to obtain the nomination of the republicans and the indorsement of the republican convention. (It will be remembered that Flanagan was the person whom Ames displaced by force of arms from the office of sheriff in 1874, and by the same process re-established Crosby, whom the citizens had rejected. This gave rise to the "Vicksburgh riots," which were fully investigated and reported upon by a committee of the House of Representatives. In the the course of the contest to obtain this nomination there were several homicides committed by the respective partisan of Flanagan and Bedford, and there would seem little doubt that Flanagan's nomination by the republican convention was in a large deegre influenced by terrorism.

The cases of homicide were two, and one of wounding.

In all of these cases indictments have been found and prosecutions commenced. The perpetrators of these crimes were known and have been arrested and held to bail to be tried in due course of law, and it is to be hoped will be duly punished. These crimes did not differ in their nature or their facts from such as are incident to any ill-governed community, and their parallel can be found too frequently in the lower strata of politics in many of the northern cities. There is, however, no trace of testimony which can be justly relied upon to connect the commission of these crimes with the democratic organization or its objects. Respectable men viewed these crimes in Mississippi with the same abhorrence that they are viewed elsewhere.

The election in Warren County in November, 1875, was characterized by the grossest frauds, and it seems impossible that such should not have been the case, when the character of the men deliberately selected to control the entire machinery of election is made known. The three registrars of election into whose hands the absolute control of the entire election was committed were appointed by the circuit judge, the chancellor, (both republicans,) and sheriff of the county, respectively. The chief registrar was a man named Knadler, republican. He was selected by Circuit Judge Brown. Barber, republican, the second registrar, was selected by Chancellor Hill. Pegram, democrat, the third registar, was selected by Bedford, Crosby's deputy sheriff. The character of these three men was infamous, and notoriously so.

The judge who selected Knadler had presided at his trial, and sentenced him to imprisonment for life for willful murder in the spring of 1875. A writ of error had been allowed by the supreme court, pending which Knadler was admitted to bail, was appointed chief registrar of the county of Warren, and received a free pardon for his services at the election at the hands of Lieutenant-Governor Davis (colored) a few days after the election. He admits that a thousand dollars was promised, of which $500 was paid, to compensate him for the loss of his "business" in performing the duties of registrar, the pay of $3 per day being insufficient. Barber was under indictment at the time of his appointment by Chancellor Hill for highway robbery; and Pegram was a notorious professional gambler of a very low grade, against whom indictments were also pending, page 1425.

ABOUT JUDGE BROWN'S APPOINTMENT OF KNADLER.

By Mr. BAYARD:

Q. Mr. Richardson, will you give the full name of Judge Brown?—A. George F. Brown.

Q. Was he not a candidate for Congress last fall?—A. I think he was a candidate before the convention.

Q. Was he not a candidate for the nomination at the time he appointed Knadler as a registrar?—A. Yes, sir.

Q. How long before that had Knadler been tried and convicted of murder, and a new trial granted and judgment arrested?—A. I cannot exactly state.

Q. In the same year?—A. In the year before. It was in March that the man was killed; I think it was in November that the trial was.

Q. Then, when did you make your affidavit of what you saw at the trial?—A. At that term of the court. I would not say whether it was the November term, positively, but it was at the same term of the court, while the court was in session, that I made the affidavit of conspiracy.

Q. Who was the judge before whom he was brought?—A. Judge Brown.

Q. The judge who had tried him for murder and had seen him convicted on the merits was the man who appointed him at the head of the board of registration?—A. That is my understanding. I don't think he was at the head, but my understanding was that he was the man that appointed him on the board.

Q. At the time that he did this he was himself a candidate for nomination by his party, and expected to run?—A. He was a candidate for nomination, of course, at that time.

WHY BARBER HAS NOT BEEN TRIED.

Q. Was Barber ever tried under the indictment for robbing a colored man of $16?—A. No, sir; he has not been tried.

Q. When was that indictment found?—A. I think in the November term the year before; he was appointed the same term that Knadler was tried.

Q. His case has never been brought for trial?—A. His name stands on the calendar; he is out on bond; the case has been continued.

Q. Do you know why it has been continued all this time, since a year ago last November?—A. Probably for the want of time. They set the trial first for the men who are indicted that are in jail and can give no bond; they always take precedence and try these first in our courts.

Q. Have you had so many in jail that you have had no chance to reach this party?—A. We have had a good many out and a good many in jail, as a general thing; we had at that time as many as thirty in jail.

Q. Is that a fact that Barber, being out on bail, has not had his case reached because there are so many in jail entitled to a prior trial?—A. Yes, sir; that is my understanding. I know that is the way Judge Brown has been in the habit of conducting the court; to give men who could not give bond precedence for trial; and many men who were out on bonds don't come to trial for two or three years.

Q. Who was the chancellor who appointed Barber as registrar?—A. Edwin Hill.

Q. He was not a candidate for any office when he appointed Barber?—A. No, sir.

Q. Was he a candidate for any nomination?—A. I think not.

Q. He was chancellor in the same county where these parties had been indicted?—A. Yes, sir.

PEGRAM A PROFESSIONAL GAMBLER.

Q. Now as to Pegram?—A. He had been indicted for unlawful gaming, and was out under bonds.

Q. He was known to be a professional gambler?—A. Yes, sir; he did not deny it to anybody.

Q. Who appointed him?—A. I think the sheriff did.

Q. What sheriff was that?—A. Mr. Bedford; he was acting under Sheriff Crosby.

Q. Crosby was the sheriff?—A. But Mr. Bedford was acting sheriff in the absence of Crosby; Crosby had been in a good deal of trouble and had left.

Q. Were you ever at any time a deputy under Mr. Bedford?—A. I never was a deputy under Mr. Bedford, except he employed me as a bailiff to go out and summons the grand jury for a term of court that was approaching.

Q. When you were a bailiff—is it not rather as a deputy sheriff that you summon the grand jury?—A. They call it a bailiff in this country; but I was deputized to go and perform special duties.

The testimony of a dozen witnesses discloses the strong probability, if not the absolute fact, that these custodians of popular rights, by their manipulation of the tally-lists and returns and stuffing of the ballot-boxes of the entire county, procured a return, as if elected, of

a pre-arranged ticket, composed partly of republicans and partly of democrats. (See page of testimony, deposition of .) This ticket contains some names on the regularly-nominated tickets of the democratic and republican parties, but other names which were not in nomination by either party, among whom is H. C. Carter, a colored man, who is now a republican member of the legislature. The ticket so returned as elected was styled by the witness the "bogus ticket," and was proven to have been printed on paper of a peculiar hue, but precisely the same as the paper of the regular republican ticket, the typography and ink of both tickets being also precisely similar. It was proven (see deposition of Rankin, page 1414, a republican) that the committee to procure tickets consisted of W. W. Edwards, colored member of legislature, and Carey, who went to New Orleans to have the tickets printed, and brought them back.

The identity in outward appearance between the "bogus ticket" and the regular republican ticket leaves little room to doubt that they were printed at the same time, on the same press, on the same paper, under order of this republican committee. Of the time and place of stuffing the ballot-boxes and altering the tally-lists by the election-officers there is no conclusive proof, but there can be no doubt that a wholesale fraud was committed, and that a ticket not voted for in the county was returned as if elected. There was testimony by Barber that some money was found in the ballot-boxes when opened, which Pegram put in his pocket.

It may be mentioned that the circuit judge, Brown, was a candidate for nomination by the republican convention for Congress, at the time he appointed Knaedler chief registrar. He and the chancellor were both appointees of Governor Ames, who held in his hand power to remove either of them. He could have done so, and could have canceled the appointments of these three infamous registrars; but the political rights of the people of Warren County were thus put up for sale through the agency of the republican State administration, and being for sale, we presume, they fell, as usual, to the lot of the highest bidder. The laws of that State establish penalties for such offenses, and the execution of the law rests wholly in the hands of the State administration. Shall the community who are the sufferers of such misgovernment be made the victims of congressional assault because of a misfortune against which they have vainly protested and for which they have no just responsibility? It will perhaps be considered a curious spectacle and a strange method of ascertaining the true state of facts in a community, when such confessed scoundrels as Knaedler and Barber are brought as witnesses to impeach the community which has the misfortune to contain them, and in which they had been placed in power by the very party who now seeks to denounce those who are the victims of their crimes.

A large number of colored men were brought to show personal intimidation, as practiced toward them in the county of Warren, but the establishment of the fact that fraud was successfully used would render intimidation useless and absurd.

Madison County.—Madison County has been the subject of extended investigation, and an examination of the testimony of Captain Ross, (page 845,) the republican sheriff; Judge Cunningham, republican circuit judge, (page 831;) Judge Campbell, of the supreme court, (page 920,) ——— chancellor, and numerous other witnesses of the highest personal and official character, must establish beyond a reasonable doubt that the election of the ticket formed by amicable compromise and agreement between the ex-

ecutive committees of the respective parties was perfectly fair, lawful, and peaceable. The address of the republican county committee, after the formation of the compromise ticket, which is appended to the testimony of Mr. Warren, republican, (page 964,) will show the practical nature of the compromise, and of the election that was held under it. The ticket so elected by an overwhelming majority was composed of men entirely worthy and capable in the offices for which they were chosen, (p. 920.)

Q. Was there any intimidation resorted to to compel the creation of the fusion ticket?—A. Not the slightest that I ever knew or heard of.

Q. Was it, to your knowledge, a voluntary action of the leaders of the two parties for the purpose of procuring good men in the county?—A. That was certainly my understanding; there was a further object, I doubt not. I know I urged that. There was a very feverish state of the public mind. The Clinton affair had occurred, and the Warren County matter, and some disturbances in Yazoo, and every sensible man of both parties thought there was a possibility, in the feverish state of the public mind, of a disturbance being precipitated by imprudence or accident. I suppose every one of us was desirous to preclude the possibility of any disturbance on election-day. I think I was, and I suppose every one was.

Q. Without its being precisely alleged—I cannot, not having the notes before me, say—but without its being precisely alleged, there has been before this committee, from the witnesses, intimation that there was intimidation practiced to induce the formation of the fusion ticket, and I ask you, as a party to the compromise, whether that was true or not.

The CHAIRMAN. The statements, to my mind, have a different construction; not that intimidation was for that purpose, but that there had been intimidation and outrages in the district, which made the republicans prefer a compromise rather than take the risk.

Mr. BAYARD. Just consider that interrogatory with the correction of the chairman. I would like the chairman, or members of the committee, to make any correction when I fail to state the testimony accurately.

A. I certainly never had an idea that there could be a pretense that there was even a semblance of intimidation in Madison County. I remember when I saw an account of the appointment of this committee, or the proposition of Senator Morton to appoint it, I felt, and remarked at the time, that there certainly would not be anything to investigate in Madison County, for if there was any semblance of intimidation prior to that time I was ignorant of it; I never heard of it.

Q. Did or did not the leading republicans of the county oppose the Warner ticket?—A. I am not able to say about that.

Q. After the compromise I speak of?—A. I think the compromise, or fusion ticket, was almost unanimously supported.

Q. Were you present on the day of the election?—A. I was at Canton.

Q. Was there, to your knowledge, any interference with the right of voting, by anybody, at any time?—A. There was not. There were more democrats opposed to the fusion than republicans. As well as I could ascertain, there was a minority of the democratic party opposed to the fusion, that warred against it, and condemned it bitterly; extreme men and violent men, who didn't want to have any treaty with the republican party at all; yet, at the same time, the compromise had an overwhelming majority of democrats; five-sixths, I should think, cordially approved it, and a greater proportion of the republicans. I never heard of any dissatisfaction on the part of the republicans, except at Jackson.

Q. That is not in the county?—A. No; but Warner, from Jackson, it is understood, tried to distribute straight-out republican tickets, or the old tickets, and thus defeat the fusion.

There is a large amount of absurd testimony by negroes in relation to the affairs of this county, but the testimony of gentlemen of both the political parties to which we have referred, and which is to be found on the pages above noted, will set at rest any question as to the legality and propriety of the election in that county.

Hinds County.—Hinds County contains the capital of the State. The only alleged disturbance of any moment in Hinds County was the Clinton riot, of which we have heretofore given a full statement. With this exception no one has ventured to attest a single act of intimidation or violence. It was the official residence of Governor Ames, who himself stated, on page 29, that he was not a witness of any act of violence

or intimidation, and a dozen witnesses have affirmed without the slightest contradiction that the election was entirely peaceable and lawful, with the free right of every one to vote as they saw fit.

ASSAULT UPON THE GOVERNOR'S MANSION.

At pages 423 to 435 will be found the depositions of several colored men who were employed as watchmen around the governor's mansion for weeks before the election. Their statement as to the firing upon the mansion is not only disproved by Ames himself, (see page 15,) but is incredible from the fact that no pane of glass was broken by the alleged bullets, nor does any mark appear upon the exterior of the mansion, nor was any one hurt at any time.

Mr. Barksdale, at page 475, disposes of this ridiculous charge:

ABOUT THE GOVERNOR'S MANSION BEING FIRED INTO.

Q. Some witnesses have been before this committee—colored men—who have stated that the governor's mansion has been an object of attack, and I would like to state to you here what Governor Ames said on the subject:

"Q. (By the CHAIRMAN.) Did you, at any time, receive threats or intimations of bodily harm to yourself?—A. As I stated yesterday, no attempt has ever been made to intimidate me personally. Of course no person ever came to me and said that if I did thus and so, certain consequences would follow; but the mansion where I live was fired into.

"Q. (By Mr. BAYARD.) At what time?—A. Just previous to the election.

"Q. (By the CHAIRMAN.) During the day or at night?—A. This was at night. I may say, however, that I did not, at that time, consider myself in any personal danger; I did not think that they could well afford to assassinate me. I thought it would be too great a political blunder, so I really had no feeling of that kind; but since then I have been informed that the thing was seriously considered. People were seen firing into my mansion, and the trees were cut. There was a bullet-hole or two in various parts of the mansion."

Q. This testimony—some of it at least—referred to the democratic conservative meeting which was held here, in the city of Jackson, on the 27th of October, just before the election.—A. Well, I will state that previous to that meeting, when it was known there would be a great crowd of persons, inspired by the enthusiasm of the canvass, when there would be banners, music, and all that sort of paraphernalia which gives interest to a political canvass, and it was determined by the democratic authorities that no device, no flag, no banner, and no thing should appear in that procession, or in the proceedings, in any way to cast ridicule or wound the sensibilities of Governor Ames.

A treaty of peace had been established, as it was called, between him and the democratic authorities, and it was felt that it was due to him that there should be no exhibition of that sort.

DEMOCRATS WATCHFUL THAT NO INDIGNITY SHOULD BE OFFERED TO THE GOVERNOR.

The consequence was, that we were especially watchful that no indignity should be offered to Governor Ames during that meeting or by the procession on the march.

Upon that principle, on the occasion to which reference is made I myself was anxious to see to it that no indignity should be offered to the governor, no hostile demonstrations of any kind, whether firing of guns or pistols, or making even jesting remarks, and I took a position, before the head of the column reached the mansion, directly in front of the office, that I might see what might occur. I remained there until the procession had passed.

I do solemnly aver that if any pistol was fired, or remark made reflecting upon the governor, or offering indignity to him, I did not see it, and I was in a position to hear and see whatever occurred, certainly.

As to the perforation of trees there by bullets. I suppose it could be verified by an examination, but I certainly heard no pistols. I took that position directly opposite the governor's mansion in order to see that the pledge of peace which had been made should be fulfilled and that no indignity should be offered to the governor, because we desired the agreement should be carried out.

Q. How far is the office where you were to the gubernatorial mansion?—A. About 250 yards.

Q. You were near enough to hear any firing or any disturbance?—A. Yes, sir.

Q. Were you constantly at your office during the next night and for a couple of weeks preceding the election?—A. I was occasionally, not constantly—frequently. Of course it is not my habit to remain, except on such occasions.

Q. Were you aware that for twenty days prior to the election, and two days afterward—I believe it embraced that—that Governor Ames had colored men stationed aronnd his house as guards, inside of his fence?—A. I will say, personally I was not aware of it, but I heard it so stated.

NEVER HEARD ANY FIRING.

Q. Did you ever hear evidence, or have any knowledge or information, that there was constant firing at night toward the mansion during those twenty days?—A. No, sir; I never did. I am quite sure I should have heard it. I will remark that there is a police constantly on duty at all hours of the night on the streets, to arrest any disturbance of that sort or anything of that kind.

Claiborne County.—Claiborne County was impeached by the testimony of one witness, E. H. Stiles, (page 158,) which was controverted directly and circumstantially by the testimony J. D. Vertner, at page 191. From special and moral causes there had been a great degree of excitement in this county precedingand entirely disconnected with the question of the election. The most conspicuous cause of excitement and feeling was the marriage of Haskin Smith, a colored man, with the daughter of his employer, Mr. William Smith, a hotel-keeper in the town of Port Gibson. This colored man and white girl eloped. (See testimony of Mr. J. D. Vertner, page 191.)

Our campaign opened, I think, in the month of September, about two months before the election. Just prior to the opening of the campaign, however, an incident in no way connected with politics occurred, which produced a very bad state of feeling between the whites and blacks. It was not the marriage of a negro with a white woman so much as the incidents connected with it. There was such a marriage in the county, and while the white people took no part in it whatever, the parties being of humble origin and not in the society of the place, yet the father of the girl felt himself very much aggrieved, the boy having been reared in his family and brought up with the girl. The father was a desperate man, and he threatened to kill him. I myself overheard no such remarks on the part of the negroes, but a gentleman of respectability informed me that they had threatened to burn the town and wreak vengeance on the people if a hair of that negro's head was harmed by Mr. Smith.

Q. Smith was the father?—A. Smith was the father.

Q. State the names of the persons married.—A. The boy was a negro by the name of Haskins Smith. The girl was the daughter of William Smith, who kept the public hotel of the place. The boy, while a member of the legislature, was a boot-black in the hotel and a waiter, and continued there during the time that he was in the legislature, waiting on the table during the recess, and finally he ran off with this girl. It created some impression upon us, but of course was beneath our notice; but these remarks, which were said to have been made very publicly——

Q. You say the father of the girl was very much excited?—A. The father of the girl was very much excited, and the mother has never recovered from the shock that she received at the time. The father in that exasperated state of feeling proposed to kill the negro whenever he returned. He was a very good negro, and held in very good esteem by the white people. The negroes here, Haskins's friends, seeing him with a shot-gun, gathered round his hotel *en masse*. I saw myself the excited crowds that gathered there from day to day.

They were absent during all this time—the man and woman who were married. The negroes made a great many threats, according to hearsay, but we paid no attention to them. On Sunday, about one week after the occurrence, the negro was brought back to the place by prominent negro leaders, among them the black coroner of our town, who is now in this jail, the leader of a band which has been sent to the penitentiary for burglary. They went down with carriages to bring the negro back. The negro protested against it, saying he had outraged the feelings of the family and preferred to remain where he was; but they took him by force and brought him into the village on a quiet Sunday, with four or five young men armed, and they paraded our streets, up and down, with this negro, who had offended the feelings of this family, in their midst; and then, not content with this, they followed our young ladies, and went to our grave-yard where our parents are buried, and trod all around there, and marched back.

THE WITNESS THREATENS THE COLORED PEOPLE.

I told the sheriff—a colored man—by the eternal gods, if ever again such a thing were repeated, blood was thicker than water, and we would kill the last son of a bitch; that if ever such insults were heaped upon us again we would not stand it. He told me that they started from the jail with-side weapons, and that he expostulated with them to go back, and said that he had lost control of his people.

THE WHITES ARM.

We, seeing that aggressive spirit, and being insulted on the streets frequently, instantly called a meeting; it was totally disconnected with politics; and we armed ourselves thoroughly and completely; that is, the citizens generally. There were 80 of us, with, perhaps, 80 guns.

PROPORTION OF THE RACES.

Q. State the proportion of the black population compared to the white in your county.—A. Our population is 20,000, I think, by the recent census. There are fully three to one, if not a little more. I think there are about one thousand white voters—eight or nine hundred white voters—and about four hundred who have not been in the habit of voting until the last election.

That was the first event, disconnected with politics, but which brought about a very excited state of feelings in our midst. That was the occasion of our arming and nothing else; it was totally disconnected with any politics. There are two radicals who have always affiliated with that party in the town who joined with us in this organization of men, armed.

The excitement and disgust in the county became very intense, and the sympathy for the father of the girl was strongly manifested, all of which was greatly increased by the triumphal entry of this ill-matched couple into the town, and the procession by them and their colored associates throughout the streets of the place, including a visit to the cemetery, all of which seems to have aroused the indignation of the white people to the highest pitch. It being understood that the father of this girl had armed himself and intended to kill his daughter's husband on sight, plans for his destruction were arranged by the negroes, which plans becoming known to the whites, they armed themselves in opposition, and for the protection of this injured parent. This event created an intense excitement, which continued up to the time of the political canvass.

There were but two witnesses, Stiles and Vertner, examined before the committee, and their statements are directly in conflict.

There was upon the day of the election a race collision, in which an old colored man, disconnected with the quarrel, standing on the outside of the crowd, was shot and killed by parties unknown, and, as is testified, greatly to the sorrow of the white people, who buried him with every mark of respect and regret.

This unfortunate death, and the wounding—not seriously—of a few others, were the only acts of violence which marked the election, and the excitement consequent upon it having quieted down, the election went on regularly and without further disturbance. It was alleged by the witness, Mr. Stiles, (see p. 158,) that in consequence of the disturbance in which this old man was killed, many colored men were intimidated, left the ground, and refused to vote; and this is denied by Mr. Vertner at pages 201–203, and 204, and the fact remains that the aggregate vote of the county as compared with the former elections was but slightly reduced. (See table, p. 144, Doc. Test.)

Amite County.—Amite County was the scene of a great deal of disorder and alleged intimidation of voters. The colored population in 1870 was 6,777 and the white 4,196. According to the testimony of Mr. A. S. Parker, the defeated candidate for sheriff, there was a republican majority of about 300 votes. The disorders in this county were attested by W. B. Redmond, whose deposition is on page 73; H. P. Hurst, at page 86; A. S. Parker, at page 107.

Parker's testimony, at page 113, and Hurst's at page 99, concur in attributing the chief disorders in the county and breaches of the peace to the influence of one Col. Frank Powers, whose residence is in the State of Louisiana, over the line.

Hurst says: "If Powers had staid away from Mississippi, I don't

think there would have been as much trouble as there has been," and proceeds to describe the reckless and dangerous character of Powers, whom he also considers "the worst man and *the chief cause* of the troubles in Amite County." At page 101 he says:

(By Mr. BAYARD.) How many men in the State of Mississippi are the chiefs and ruling spirits of this condition of affairs down in the lower end of Amite County?—A. Well, it is not easy to say. I could not possibly tell you how many. I suppose if you picked out ten or fifteen of those desperate characters the whole thing would stop. Yes, and I would go further than that, and say that *if Jackson and Powers were arrested, this whole thing would stop.*

And in the next reply he classes Powers as the worst man and Moses Jackson as the next. At page 113 Parker says, in reply to a question by Mr. BAYARD "who this man Powers is, and what effect he has had in producing this condition of things in the county of Amite," describes him as follows:

Colonel Powers during the war had commanded a regiment of cavalry that was called "Buttermilk Cavalry" in our neighborhood. They were scouting and raiding around the country, and he had always a bad reputation for running cotton through the confederate lines. His reputation was, I think, very bad. He is a leader of what is called "The Regulators," in the parishes of East Feliciana and Saint Helena. There have been a great many negroes killed through these counties; and they have killed some of the county officers at Clinton, in the parish of East Feliciana, and have run the rest away. Included in his organization were some men from Amite County, and they were in sympathy with him in getting rid of republican officers.

The understanding was that should they want Powers on our side of the line they would call on him, and he would come prepared to assist them in doing anything they might require to be done. On this election-day they sent for him. General Hurst asked Powers why he had come there, and he said that they had sent for him.

Further on he speaks of Powers as "the chief over the line in Mississippi;" and in reply to the question whether he believed "that if Jackson and Powers were arrested and punished these things would cease," he says, "*Yes, sir; I have no doubt of it.*"

These two and a colored man named Strother were the only witnesses examined in regard to the affairs of Amite County, and the only disturbances testified to on the day of election was at this precinct where Powers came; but the fact was established subsequently by two witnesses by the name of Weber, who were summoned from the parish of East Feliciana, whose depositions will be found at pages of the testimony, one a State senator and the other a tax-collector of the State of Louisiana, both republicans, and from them we have the information that Col. Frank Powers is a republican office-holder by the appointment of Governor Kellogg, and has been acting with the republican party in Louisiana since 1870. It would seem difficult, therefore, to hold the white people and democrats of Amite County, in Mississippi, answerable for a disturbed and disordered condition of affairs which is proven by every witness examined in relation to Amite County to have been chiefly caused by a non-resident republican office-holder in Louisiana under the administration of Governor Kellogg.

Despite the operations of Colonel Powers and his friends, it would appear by the testimony of A. S. Parker, to be found on page 112, that a larger vote, both democratic and republican, was polled in Amite County at the election of 1875 than had been polled since the war. These disturbances were alleged at but a single precinct, and is the one visited by Col. Frank Powers from Louisiana. The violence threatened to Raymond and Parker occurred since the election, but was instigated by the same condition of feeling which Powers represented, and which a

moderately vigorous exercise of imprisonment and fine by the local authorities would speedily stop.

Washington County.—To impeach the character of the election in Washington County, a witness by the name of Putman was called. His testimony is to be found at page 1430. He does not allege any case of intimidation or violence of his own knowledge, but that the election was unfairly conducted by the inspectors at one of the precincts by unnecessarily delaying the reception of the votes. His allegations are specifically met and flatly contradicted by General Samuel A. Furguson, one of the judges of election, whose conduct had been impeached by Putman.

The deposition of General Furguson will be found at pages 1459 to 1497, in which the character of the election is fully and, as we believe, truly stated. The examination of Putman will disclose him to be a thoroughly discreditable person. His confessions of a fraudulent and immoral life are alone sufficient to deprive him of credit; but the testimony of General Furguson, who is a gentleman of high character, supplements the statements of Putman in regard to his own career. (See deposition of Putman, page 1452, and deposition of General Furguson.)

Washington County appears to have been the scene of unusual misgovernment. The relative population of the blacks to the whites was 5 to 4, and as a result nearly every official was a negro. The present sheriff of the county, Scott, a colored man, who was called before the committee, did not in any degree impeach the peace and good order of the election. Greenville, in Washington County, was the home of Gray, the infamous negro who was appointed by Ames brigadier-general of militia. At page 1468, by the deposition of Mr. Furguson, the conduct of Gray and his immunity from all restraint of law is set forth as follows:

Q. Was Gray a candidate for office, or did he desire to be nominated at the time he made these speeches?—A. He was up for sheriff, and said he intended to be sheriff.

Q. State the character of his speeches.—A. I did not hear the speeches myself, but it was a matter of common discussion and common rumor, and I have heard persons who were present at the convention, a short time afterward, coming from the court-house, state that when these speeches were reported in the convention that a minister, in whose church these speeches were made, got up in the convention and told him he could not deny it; that it was made in his church, and he heard it, and some eight or ten persons jumped up, prominent republicans in that neighborhood, and asserted that they had heard him make these speeches. The effect of the speech was he intended to be sheriff if he had to kill everything in Washington County that had a white skin, and advised the negroes to have their guns all loaded with buck-shot, and to keep them always loaded, and have them by them. Whether true or not, every white person believed that Gray had made the remark, and it created a great deal of excitement, and some degree of alarm.

Q. Had Gray, prior to that speech, been to see Governor Ames, and received that appointment of brigadier-general?—A. He had received the appointment some time before that.

Q. Did he or not state in that speech that he had the promise of arms from Governor Ames?—A. That is the report.

Q. What was the effect of that speech upon the white people of that county?—A. It caused them to arm.

Q. State to the committee what Gray's personal character was.—A. He has been the most turbulent—with the possible exception of Ross—the most turbulent man that they have had in Washington County since I have lived there. We have gone on in the town of Greenville for months without a disturbance of any sort, and he has come back from the legislature and almost invariably there has been a disturbance before he has been in town twenty-four hours. On one occasion he came back from the legislature, and drew his pistol and shot at another black man across a billiard-table, (Werles, who has since committed suicide,) within the very first day after he came back. I know these facts, because I was employed to prosecute him for it, and the magistrate fined him $5.

Q. Who was the magistrate?—A. J. L. Griffin.

Q. Of what party?—A. A republican and a white man, and a native of Georg a.

Q. Was he ever indicted for any offense there?—A. He is under indictment now for setting fire to the town of Greenville, in September, 1874.

Q. Do you know anything in reference to that?—A. I know the fact of the fire; I was insurance-agent, and I have paid in behalf of the companies about $100,000 on account of that fire.

THE "BROTHERS AND SISTERS"—THEIR OBJECTS.

Q. Was Gray connected with that incendiarism?—A. None of us suspected it at the time, but in the recent investigations of the grand jury of Washington County, it has been developed that there was a regular organized band called the "Brothers and Sisters."

Q. Describe that organization and its objects.—A. The object was to plunder and burn. That is about all I know of the objects of the society, and those who have confessed to belonging to it stated that this society was organized by Gray at his house with W. H. Bolton and R. H. Brentlinger, (who has since been convicted of embezzlement and is now in the Albany penitentiary)—that they were present at the meeting when the society was organized. I was talking to some of them in the penitentiary yesterday in corroboration of the accounts which we had had before. It was agreed at this meeting that they should set fire to the town, and while the fire was going on, they were to get up a row, and that then they would call for the militia and have the militia sent there so as to control the county and make Gray sheriff.

Q. How large is Greenville?—A. It has a little more than two thousand inhabitants now.

Q. Of whom was the society of Brothers and Sisters composed; of what parties, of what class of persons?—A. I have been able to learn of but those two white men. There were other white men there, but I don't know their names; I have no knowledge who they were, and some eight or ten, maybe more, colored men living in Greenville and just around the town on the plantations.

GRAY THE ORIGINATOR.

Q. Gray was the originator of that movement?—A. He was one of the parties at whose house the society met each week.

Q. The white men you mentioned have been sent to prison?—A. No, sir; Brentlinger has been tried and sent.

Q. For embezzlement?—A. Yes, sir.

Q. Who is the other?—A. The other is W. H. Bolton, who was candidate for sheriff at this last election.

Q. Has he been indicted yet?—A. Not for any complicity with that; he was indicted for falsifying the records the last term of the circuit court, and tried.

Q. Recently?—A. At the last term of the trial-court at Greenville.

Q. Do you know how extensive the organization for the purpose of robbery and arson was; do you know the number, and whether it extended throughout the county?—A. Mr. C. P. Huntington, foreman of the grand jury, said to me they had not got anything like to the end of it. I know nothing further than what has been developed in the court.

Q. Do you know whether this man Putman was concerned in it?—A. No, sir; I think not; he was a member of the grand jury that found an indictment against Gray. This thing occurred week before last.

NOTHING AGAINST PUTMAN.

Q. Had Mr. Putman knowledge of these facts at the time he testified before this committee a week ago?—A. Yes, sir; he was upon the grand jury and has been a member of the grand jury four weeks, I think.

REPORTS ABOUT PUTMAN.

Q. What was Mr. Putman's manner of life in Greenville?—A. Within the last six or seven years I have heard nothing against him. When he first came there, he was living, so common rumor had it, in open adultery with a woman there.

Q. Do you know whether that woman had been his business partner down in Vicksburgh?—A. She was there. I don't know anything previous to that time.

Q. Where was his wife?—A. I don't know.

Q. Did she subsequently come to Greenville?—A. She did, and is there now.

Q. How long did he continue to live in this way with this woman?—A. I don't recollect. It was a long time before I knew anything of Putman, or who he was. My first recollection of him was hearing his name mentioned in connection with this woman in that way.

Q. Did they live together?—A. Yes; they kept a store there, and lived in the store.

ABOUT ROSS AND GRAY.

Q. Who is this man Ross?—A. He is a man who is the most intelligent colored man I ever saw, and one of the best speakers I ever listened to in my life.

Q. Where did he come from?—A. From Kentucky. He and Gray were the terror of Washington County for years and years. Gray was a coward, but Ross was a very brave man indeed. He kept very quiet when Gray was away, but as soon as Gray got back, and got Ross drunk, then they took the town, as the expression is. They would commit some outrage and would not be arrested—or, being arrested, would be fined $5, and the fine would not be collected. They would go into bar-rooms, knock the people down, and commit outrages on the streets constantly. Both were ministers of the Gospel at that time, and preaching constantly.

ROSS RUNS FOR SHERIFF.

Q. Did Ross ever hold any public office?—A. He was appointed sheriff of the county in the place of Webber, and then ran for the office and was elected, but could not make his bond. It was large—$120,000, perhaps.

WORTH OF THE OFFICE OF SHERIFF.

Q. What was the office worth?—A. The office was worth, I suppose, ten or fifteen thousand dollars a year, legitimately.

Q. What did they make it worth otherwise?—A. I should think at least $100,000 a year.

His character is likewise spoken of by Putnam. In short, we may here say that the picture of affairs presented by the negro rule in the county of Washington, as well as the adjoining county of Issaquena, fairly beggars description. Ninety-five per cent. of the property is owned by the whites, who constitute but a small portion of the entire population. All powers of local government are in the hands of the negroes, who select the people of their own race to fill every office; boards of supervisors, utterly ignorant, incapable of reading or writing, unable to add, or subtract, or perform the simplest arithmetical problem, have entire sway over the taxes and property of the county. Their rule is arbitrary, and oftentimes insolent to an intolerable degree. At page 661, deposition of Mr. Miller, will be found an account of the refusal of a board of negro supervisors to entertain or receive the humble petition of the white citizens of the county, presented by a venerable and respectable white citizen, for the privilege of having a white school established in the county where sixteen colored schools were already established, the expense, of course, to be borne by the property of the county, and even the poor privilege of having a portion of the taxes taken from their own lands applied to the benefit of their own children was insolently denied.

By Mr. BAYARD:

Q. Do you remember the occasion of this refusal of the board of supervisors to permit a petition for a white school to be presented to the board?—A. Yes, sir; I had been attorney for the board for quite a length of time. They had appointed me unanimously, these negroes had, and I remained in that position for some time, when I resigned my position something like over a year ago, on account of their reckless management and on account of the refusal to hear the whites in regard to schools, and so on. Right there at Mayerville there was a strong demand for a white school. There were some, I suppose, 30 or 40 pupils, and they had no school-house. They had to employ a teacher, and they got a room wherever they could to teach in; and the people brought it to the attention of the board several times, and earnestly requested them to build a school-house there. The board went through the pretense of posting a notice for bidders. The law provides that the contract shall be let out to the lowest bidder. They posted two or three notices, and the bids were offered there by good mechanics, to build a school-house at a good deal less than they had been paying for negro schools in various parts of the county. And they rejected the bids on the ground of extravagance, and old Major Smith came up there about two or three weeks before the meeting in which Gross was to be requested to resign, and made a request, politely requesting them to have the notice renewed. He was very anxious about this school-house, and that was the wish of the whole community. It was opposed by this man Gross. One or two members were anxious to build it. This man Gross was very offensive to Mr. Smith, and

told him to sit down, he didn't want to hear him, and finally drove him away in his disgust and despair. That was one of the main causes which induced the people to request Gross to resign, in order to get a board, if possible, who would do justice. I suggested that the resolution should read this way: that since we had decided to ask him to resign, to request him to resign in favor of Robert Markinson or Green Collins, or any other of several good negroes in the neighborhood who were also republicans. I will say that the suggestion met with a degree of favor, but we thought we would have no success. But I thought that if Gross could be got out and we could get a good republican upon the board it would be very well.

Q. You did not propose to replace him by a white man or a democrat, but to put some respectable colored man in his place?—A. That was the purpose of a good many, and that resolution met with favor, but it was not carried in that way. Some persons favored it, and if it had been insisted upon it would have been carried through that way. There was no race feeling.

Q. Were you present at the time when Gross insulted Major Smith?—A. I was, and left the board in disgust.

Q. What was Major Smith's demeanor in coming to him?—A. Exceedingly polite.

Q. He assumed nothing more than to urge the action of the board?—A. He asked that in a very earnest manner, but not at all offensive. Finally, when told to shut up and sit down, he said: "By God, I am a citizen and tax-payer, and have a right to be heard here," and went away disgusted, and I left also in utter disgust. I had business to attend to there, but I would not stay on account of it.

Q. By whom was the bulk of the school-tax paid?—A. By the land-owners; white people. The negroes do not pay over one-tenth.

Q. How many colored schools are there in the county?—A. A great many. They never refused any petition to build a colored school-house anywhere. They built them all over the county, and they had standing notices to build them.

Q. How many white schools were in the county at that time?—A. Only one that I know of, on Rolling Fork. In fact, that was not a school-house, either. They used the basement of the church. They rented it. It suited very well for that purpose; no objection to it on that account.

Q. How far was it from that school-house to the other school-house that they proposed to build?—A. About ten or twelve miles. That was the main cause of the request to Gross to resign.

A condition of affairs which would be incredible and utterly intolerable in any of the Northern States exists in many of the black counties of Mississippi, where the property, intelligence, and character of the community is trodden to the earth, insulted, and ignored by the most ignorant and sometimes vicious members of the community. Things are of daily occurrence, and were proven almost daily before the committee, which, if attempted in the State of Massachusetts, Wisconsin, Minnesota, or indeed any of the Northern States, would be met by a popular uprising and speedy overthrow. In such a condition of affairs, the forbearance and self-subordination exhibited by the white population demands and should receive the strong sympathy and high respect of every just and well-regulated mind. Page 615, testimony of S. H. Gross, colored:

By Mr. BAYARD:

Q. How many members compose the board of supervisors?—A. Five members, sir.

Q. How many of them were colored people?—A. During my time of being in office it was all colored members until 1876.

Q. You mean up until the present year?—A. Yes, sir; they were all colored members from the time I have been a member up until the present year.

Q. All members of the republican party?—A. Well, I could not say they all were.

Q. You have been one of the board of supervisors of Issaquena County for the last three years—1874, 1875, and the present year?—A. Yes, sir.

Q. Until when were these five men composed entirely of colored men; until what time?—A. Until 1876.

Q. The first of January?—A. Yes, sir.

Q. Before that time they had nothing but colored men on the board?—A. They were all colored, right from the time of my being installed.

Q. How far from Mayerville do you live?—A. The nearest route is about five miles.

Q. That is the county seat?—A. Yes, sir.

Q. Where did you first meet General Hampton?—A. In the town of Mayerville.

Q. Had you known him before?—A. O, yes, sir.

Q. Does he own property there?—A. He owns one plantation in that county.

Q. How far from Mayerville?—A. I could not give you the exact distance, but somewhere between four and five miles from Mayerville.

Q. On the river?—A. Yes, sir; on the river.

Q. When he met you did he speak to you?—A. Yes, sir; he spoke to me; that is, he sent for me.

Q. Sent a man for you?—A. Yes, sir; down the road for me.

Q. Be kind enough to state just what he said to you.—A. He said to me like this: says he, "Gross, I have heard a good deal of talk of you, and I have heard that you was a perfect gentleman, and was prompt to attend to your own business, and I heard of this trouble that has taken place, and I have come down here to-day on that occasion; and I want you now to call your board together and proceed to business. The river is rising"—this I didn't give in my former statement, but I omitted that then—"the river is rising now very swift, and we want men on that levee board to go to work on the levee; therefore, we are very anxious for you to proceed to-day at once and make the appointments;" and, he says, "I hope you will appoint good men." I think he said, "I have heard that they have asked you to resign;" and he said, "the good citizens of the county don't know anything about that, and we ain't in favor of any such doings as that."

Q. He said that the good citizens of the county were not in favor of interfering with you?—A. Yes, sir.

Q. And were not in favor of your resigning?—A. Yes, sir; he said if there was anything wrong about that, he proposed for the law to justify that.

Q. Did he say anything in regard to protecting you in case of anything of the kind being attempted?—A. He said that he had been a general in the confederate army, and that he was not afraid to fight if he was called upon to do it. He did not say he would protect us, but the impression was that he meant to protect us that day.

Q. To protect you in your rights and in your office?—A. Yes, sir; that is the way I took the meaning of his words.

Q. He spoke to you kindly, civilly, and told you just what you have said to us?—A. Yes, sir.

Q. Did you say anything to him after that?—A. No, sir; he did not appear after that.

Q. You had no molestation at all after that time?—A. No, sir.

Q. He told you that if there was anything wrong they would look to the law to remedy it?—A. Yes, sir.

Q. That he disapproved of this attempt to remove you from the board?—A. Yes, sir.

Q. And that the good people were opposed to that?—A. Yes, sir; that they were opposed to any such doings as that.

Q. Is not the maintenance of the levee along the banks of the river essential to the safety of the property of that county?—A. It is, sir.

Q. Is it a difficult and expensive thing to keep that levee in good and safe condition?—A. Of course, sir, it is.

Monroe County.—Monroe County lies upon the border of Alabama, toward the northeast corner of the State. It is not alleged that any loss of life took place in this county in the canvass or election of 1875; but the defeated candidate for sheriff, J. W. Lee, appeared before the committee and charged (see his testimony, page 1021) that the canvass had been marked with attempts at intimidation on the part of democrats, and that on the day of the election the colored voters, who had massed to the number of fifteen hundred in the town of Aberdeen, under his orders, were, by a show of violence on the part of the democrats, intimidated and prevented from voting, and in that way the election was controlled against the republican party. Captain Lee's testimony was given circumstantially and at great length. (See p. 1021.) In reply to him the committee examined Mr. T. B. Sykes, (see p. 1153,) the mayor of the town of Aberdeen, and Mr. E. O. Sykes, (see p. 1086 to 1123,) who, by the testimony of Captain Lee, was principally implicated in the alleged disorder; also, General Reuben Davis, (see p. 1050 to 1085,) and others. The weight of the whole of this testimony is entirely against the truth of Captain Lee's statement. It was proven that many of the occurrences which he alleged that he saw could not have been witnessed from the residence of the jailor, in which he had taken up his

quarters. He is directly met and flatly contradicted by the most unimpeachable witnesses, and it is impossible, after reading his testimony and that of the gentlemen who were called to answer it, to doubt that the bitterness of Captain Lee's feelings toward his former political associates (for he had been a rabid secessionist and a violent democrat until the time of his commercial failure and his immediate acceptance of office in the republican ranks in 1870) must have perverted his judgment and blinded his understanding. It is impossible to escape the conclusion that Captain Lee anticipated defeat at the polls, and, as a last resort, to escape the results of the election, endeavored to throw discredit upon it by advising the negroes not to vote.

The testimony of several negroes who were examined at Aberdeen, among them Miles Walker, has been already referred to as proof of the recklessness with which charges are made by that class of persons. The alleged gross profanity of the two Messrs. Sykes and the statements of General Reuben Davis, were not only emphatically denied by those gentlemen, but were so grossly inconsistent with their characters as pious and upright men, as to be entirely unworthy of belief by any unprejudiced man. The citizens of the town of Aberdeen, in common with many others in Mississippi, had been kept in a state of constant alarm by the rumored arming and banding of the negroes of the county. The county of Monroe is intersected north and south by the Tombigbee River, the richer lands lying on the east side of the river, and the poorer lands on the west side of the river, the eastern side being chiefly occupied by negroes with a small relative white population. The testimony of Captain Sykes discloses the fact that great apprehensions were felt, from time to time preceding the election, of a rising of the blacks for the purpose of marching on the town of Aberdeen and destroying it; that incendiarism had been frequent, and sufficient, in the excited condition of public feeling, to alarm them to an intense degree; that under these circumstances, to which must be added the organization and arming of the militia company in the community by order of Governor Ames, and the possession of those arms by Lee, the republican sheriff, the uneasiness and discomfort of the community had reached an extreme point.

The white citizens had on more than one occasion turned out and picketed the roads leading to their town, night after night, fearing the approach of a body of negroes armed for the destruction of the place. On the morning of the election, at break of day, these fears were confirmed by the presence in the town, at the court-house, of a large body of negroes from the eastern side of the county, all armed with heavy bludgeons, and many of them with pistols. This was a violation of the election-laws, which required voters to cast their ballots in the precincts where they resided, and only permitted a voter who was constrained to be absent from his home to cast his vote in another precinct by attaching to his ballot an affidavit stating the fact. But the presence of this large body of blacks, with sullen faces and armed with clubs, at a voting-precinct which was not a proper one for them to attend, naturally alarmed the citizens of the town, who took the best steps they could for self-protection. A point much dwelt upon by Captain Lee was the presence of what he termed "a body of cavalry" from Alabama in the town. This body of cavalry was proven to consist of from eight to twelve men on horseback, who, if armed at all, were armed with pistols, which were not exhibited, and who were stationed between the county jail, wherein Captain Lee had a number of State arms and fixed ammunition, and which the white citizens feared he was about to place in the hands of the negroes whom he had brought from the east side of the county to

take possession of the polls and prevent the whites from voting in the town of Aberdeen.

The whole action of these ten or dozen men on horseback was confined to remaining quietly, disturbing no man, at such a point as would prevent Lee from getting the arms out of the jail and delivering them to the negro mob at the court-house. The testimony will disclose the fact that not a blow was struck on that day, and that no man was injured, and no one prevented in his lawful right to vote. No case was brought before us of any one who did not vote or could not vote if he had desired to do so. Under Lee's advice, many of the negroes who had unlawfully assembled at the court-house went back to their own precincts, and it is presumed that they there voted undisturbed. These facts, we believe, are fully established by the weight of testimony taken in regard to this election. That no material number of the vote was prevented from being cast by intimidation would appear from the fact that the aggregate vote polled in 1875 was two hundred and fifteen greater in the county than in the general election of 1873.

Lowndes County.—The only point in Lowndes County in relation to which testimony was taken was in the city of Columbus. The witnesses examined were the mayor of the city, Mr. Billups, and Robert Gleed, a negro, ex-sheriff of the county, and a defeated candidate for re-election. The testimony of the mayor, which will be found at page 804, is to the effect that there had been no evidences of intimidation or disturbance; that the republican party had been split, and that two republican tickets were in the field, therefore lessening the necessity for the resort to intimidation, even if it had been contemplated.

A few nights before the election, just after nightfall, a fire was discovered in a remote portion of the town, and the fire-apparatus gotten ready to extinguish it, but while the engines were proceeding to this fire, another fire was discovered in an opposite quarter of the town; and, according to the testimony of Mr. Humphreys, the town appeared to be fired in seven or eight different places at once. The excitement instantly became intense. The rumors and apprehensions of incendiarisms of the negroes, founded upon remarks made by several of them of a threatening character, induced the belief that the community was on the verge of a great disaster, and a successful conspiracy to destroy the town by fire was about to be carried out. To protect the city and keep the peace, the mayor appointed Mr. J. H. Sharp a special marshal for the occasion, with authority to summon peace-officers to his aid. The report of the marshal as made to the mayor on the following day, in writing, was presented to the committee, and is to be found on page 806.

The substance of that report is that the marshal took semi-military possession of the town and prevented the free circulation of the people; that his orders were to halt any man who was not known, and if he did not obey, to shoot him. Witnesses testified that in this way they were halted, although well known in the community, and obeyed the summons. There was, however, excitement and feeling, which were directed against the race which they believed had been the authors of this intended conflagration, which resulted in the shooting and killing of four colored men by the patrols established by the marshal for the cause stated in his report, (p. 806.) This was the case alleged by the mayor and the white citizens of the place, but, to some extent, denied by Robert Gleed, who alleged, or, rather, we infer from his testimony that the object of the fires was to create a disturbance, in which colored men could be intimidated or slain. It is certain that Gleed's family were kindly and hospitably entertained by the mayor himself on the night of

the disturbance, and that Gleed was believed by many of the white citizens to have been the chief instigator of these incendiarisms and attempted destruction of the town.

The action of the city authorities cannot be considered unnatural or improper, under the circumstances. They immediately sought to increase the police force and prevent any lawlessness on the part of the white people, growing out of their excitement and apprehended destruction of their homes and lives.

It would seem impossible from so cursory and incomplete an examination as was hurriedly made by this committee to come at a perfectly clear and satisfactory judgment of the events on the night in question, in the town of Columbus, and the causes which led to them. On the one hand there is the terror of incendiarism which appeals to every householder, and which strikes fear into the boldest heart. Most of the dwellings of Columbus and other southern towns are composed of wood, and their water facilities and apparatus for extinguishing fires are generally of an inferior description. General Sharp reports, (p. 806:) "Attempts had then been made to fire the town in fourteen different places." "Armed negroes were hurrying along the street, and one squad of twenty, when halted, brought their guns to 'ready,' and shouted 'shoot!'" They knew that the negroes had been banded together in political hostility to the whites, and they had heard threats of incendiarism that placed them in great anxiety and distress. At page 567, see statement of the lieutenant of Owen, the commander of the negro company captured at Vicksburgh:

"We got orders we should not go there; if we had not received these orders before night, *I would have been there with my gun in one hand, a coal-oil can in the other, and a box of matches in my pocket.*"

How far these fears honestly actuated the mass of the people in the unusual steps taken for self-protection, there is not sufficient testimony before the committee thoroughly to determine; or how far such alleged fears were made by wicked and cruel men the pretext for an assault upon obnoxious colored individuals, or upon the colored people as a class, there is not enough testimony before the committee satisfactorily to determine. That the result of that night's proceedings ought to have been made, or ought still to be made, the subject of thorough and rigid examination no one can doubt; nor is it yet known what steps were taken to discover the true condition of facts and the causes of these fires which, from their number and scattered location, would seem clearly to evince a settled plan of incendiarism for some purpose, either to destroy the town or to give a pretext for a criminal assault. One thing may here be said, that if the atrocious design did exist of making that incendiarism the pretext for an onslaught upon the colored people at night, and where they were in large numbers, it would seem strange that the victims were limited to four in number, when their slaughter could have been so easily multiplied.

We have not classed this occurrence at Columbus with the four principal collisions between the races, because no political significance seemed to have been given to it, and the matter was mentioned late in the course of the investigation, only by three or four witnesses, and even they gave totally different theories for the occurrences of the night, and for the reason also that it did not partake of the nature of a riot growing out of any immediate quarrel or controversy between the two races. In the opinion of the undersigned, it was the result of sudden fury and excitement caused by terror of incendiarism, which, for the time being, deprived men of their self-control. Although no proof of

the immediate facts attending the killing of any one of these four men was brought before the committee, the report of the marshal is more circumstantial than anything brought to our knowledge. No consequent intimidation is to be inferred from the condition of the vote; for the aggregate vote of 1875 is a very large increase over the vote of the election preceding.

ROLLING FORK COLLISION.

In December, 1875, in what is now Sharkey County—then a part of Issaquena—occurred a most deplorable and shocking tragedy. The affair was first brought to the attention of the committee by the testimony of Derry Brown and Bowie Foreman, (negroes,) whose bloody threats and turbulent conduct had caused them to be expelled from the neighborhood, and whose testimony was shown to be unreliable. (See testimony of Judge Shackleford as to the character of Foreman and of ——— Miller, pages 664–668, impeaching Brown; also, page 646; also, Ball, who, at page 750, says: Q. "Would you put any reliance in his statements as a witness?—A. No, sir; nor would a black or white person in that county.")

It seemed difficult to obtained a clear and connected narrative of the transaction, but the testimony of E. B. Ball, a republican, who emigrated to the State of Mississippi from the State of Illinois at the close of the war, and who resides in the neighborhood where the tragedy occurred, will fairly represent the state of affairs and feeling at the time, and the circumstances which led to it. (See pages from 742 to 755, Ball's testimony; also the deposition of W. W. Moore, at page 680, and of W. D. Brown, page 693, corroborative of testimony of Ball.)

It appears that on Saturday, the last of November, 1875, a number of negroes, not belonging to that part of the country, but who had been picking cotton, were paid off, and were engaged in a drunken frolic at Rolling Fork, a small town in what was then Issaquena County, now seat of Sharkey County.

A young white man, or boy, for he was not yet of age, who was drinking with them, got into a quarrel with one of the negroes, which ended by the white man striking the negro with a knife, and inflicting a wound of no dangerous character.

The boy fled and was pursued by the whole band of negroes, who finally discovered him in the back room of a store, where he had secreted himself, and after stabbing and otherwise wounding him, left him for dead.

On Sunday morning warrants were issued by a colored justice of the peace, residing at Rolling Fork, for the offending parties, and in the course of the day five or six were arrested and placed under guard in a building then vacant, which had been occupied as a drug-store. During the night the gun of one of the guards was discharged by accident, and the prisoners became alarmed, and attempted to make their escape by breaking through the windows. They were fired upon by the guards, and one of them was killed, and two or three were wounded. The wounded parties, with one or others, were captured.

The next day all of the parties implicated in the assault on the young white man were recognized, and gave bonds for their appearance at court, and the difficulty seemed to be ended, but the news of the affair extended down into the neighborhood where Mr. Ball resided, and spread through the country with many exaggerations. The white people at Rolling Fork and vicinity were greatly outnumbered by the negroes in that locality, and the disproportion in the neighborhood of Mr. Ball,

and below there, on what was known as the Deer Creek settlement, was at least ten to one of the colored people to the whites.

Bands of colored men were at once organized, and armed with such weapons as they could procure, threatening to attack and destroy the town of Rolling Fork, and to kill the white people, and, to use the language of some of their most excited leaders, "from the cradle up," and to burn cotton-gins, and to destroy property generally. Two of these bands—one under the leadership of a negro preacher by the name of Moses Johnson—started in the direction of Rolling Fork, but were turned back at Elgin's store by the firmness of Elgin and one or two white men who were there at the time. They returned from the neighborhood where they had started, some few miles below Elgin's store, somewhat excited by liquor, and, as will be seen by the testimony of Ball, by no means inclined to give up their purposed destruction of the whites and their property.

The terror which their conduct inspired in that county, among the few white settlers and their families, is very graphically depicted by the witness Ball, as well as his own apprehensions because of his being a white man, notwithstanding the fact that he was a republican, and in political accord, and on terms of personal friendship with the negroes. (See Ball's testimony, pp. 749 and 753.)

WHITES GREATLY ALARMED.

Q. What state of alarm was there among the white people living in that part of the country on account of these demonstrations?—A. Do you refer to ladies as well as men?

Q. Yes, sir; all.—A. They were very much frightened. We barricaded our doors, and kept armed for two or three weeks; for two or three weeks we were vigilant and watchful; some nights we did not go to bed at all.

Q. How many white people were living along on the creek within that district that was affected by these disturbances?—A. At Mr. Watson's there were four at this time, three living there, including myself. I believe there was two at Cammack place, between Watson's and Hunt's, where this boy Mickey lived. At Mr. Hunt's there was only one, I think, Mr. Hunt, himself. Living at a store between Hunt's and Elgin's store were two white men and a lady and her children. At Hunt's store were two white persons.

NUMBER OF NEGROES IN THIS SECTION.

Q. About how many negroes were there from Hunt's store down to the lower part of the county where these difficulties extended?—A. Do you mean to Mr. Watson's, where I live, or including farther down, where Charley Brown had been?

Q. Including down where Charley Brown had been.—A. From Hunt's store to where Charley Brown went there were about a thousand of them, I should think; between seven hundred and a thousand.

Q. Where was the bulk of the white settlers upon the creek?—A. It was very thinly settled with the exception of about a mile around Rolling Fork, and there it was comparatively thinly settled as a general thing; on each plantation one or two white persons, sometimes a lady and one or two children.

By Mr. BAYARD:

Q. Did these white men have their families there—the women and children among them?—A. Yes, sir; as a general thing.

News of this uprising and demonstration was carried back to Rolling Fork. Application was made by the white people there, to their friends in Washington County and above, for aid. A band of armed white men, from the upper counties, under the leadership of Rev. —— Ball, a Baptist minister, collected together and marched down to Rolling Fork, where, learning such facts as they could in reference to the disturbances below and the parties most deeply implicated, mounted an armed force of some fifty or seventy-five men, on Sunday, and went down in the neighborhood where these turbulent negroes were assembled under arms, and captured and killed six of the most dangerous and violent of

those concerned in the armed organization for the destruction of the property and lives of the white inhabitants.

This violent remedy promptly ended the conspiracy of the negro population against the whites and caused them to abandon any further prosecution of their hostile purposes.

A few days after the killing of these negroes a meeting took place between the leading white people at Rolling Fork, and the leading and peaceably-inclined negroes of the neighborhood, and a treaty of peace was signed by the parties, which has been incorporated into the testimony taken by the committee, and will be found on page 699.

Derry Brown, who, before the tragedy occurred, had been inclined to peace and quiet, became furious, and was unwilling to be reconciled except by the killing of six white men in retaliation for the six negroes, and was excluded from the terms of the amnesty provided in this treaty.

This ended the affair, and however reprehensible the entire transaction is, the undersigned could discover in it no trace of any political character. On the contrary, it was a war of races, having its origin in a drunken brawl between one white person and a number of dissolute and drunken negroes. The region in which it occurred lies remote from railway or other public modes of communication. The civil authorities of the neighborhood were wholly inadequate to cope with the emergency, and it was too sudden for the authorities of the State to be called into action. W. D. Brown, at page 702, says:

THE EXCITEMENT HAD NO CONNECTION WITH POLITICS.

By Mr. BAYARD:

Q. Had this whole occurrence—the excitement—any connection with the party politics of the country?—A. I think not at all.

Q. Did you so regard it?—A. No, sir; not as a political matter; it was between the whites and the blacks. I don't know whether it had relation particularly to politics, though that may have had something to do with it; but they certainly, in my mind, had combined to kill out the white people, and made threats against us so that I felt in danger of my life; and others did, too.

ACTION OF THE WHITES DEFENSIVE.

Q. Do you regard the action of the whites there as being defensive?—A. Entirely so. If they hadn't done what they did I don't believe one of them would have been alive to-day, unless by an accident. The excitement was so great that, I think, in two or three days the feeling would have culminated in the death of the white people in the vicinity—women and children as well as men. Had it been possible for us to have moved the ladies and children away from that section we would have done so; but we felt that we were in great danger in attempting it; and they staid indoors, and we protected them the best way that we could by barricading the doors at night and watching in the day-time; but if it had been possible for us to have got them out of the country it would have been done.

GIN-HOUSES EASILY BURNED.

Q. Was there any means of protecting the gin-houses where your crops were?—A. None that would have been practicable under the circumstances.

Q. Would not the conflagration of a gin-house have necessarily been complete from a single match?—A. Yes, sir; it would have been almost impossible to extinguish it. I never heard of a gin-house being saved where there was cotton in it, and most of them at that time were pretty full of cotton.

The Deer Creek country is somewhat isolated from the exterior world, and is distant from the Mississippi River on an average from twelve to fifteen miles, with an intervening miserable swamp, which, in some seasons of the year, is impassable.

We have access to Vicksburgh at certain seasons of the year, but for six months of the year, and that was a part of the six months, it is inaccessible except by a tedious land-route to Vicksburgh, or a tedious drive to the Mississippi River across the miserable swamp.

The plantations, many of them, are large, and the whites are, as compared with the colored people, sparse and scattered; not so much so now as they were a few years ago, as the white element is increasing largely in that country.

Q. Is the country divided into large plantations?—A. Yes, sir; though not so much so as once, for they are being somewhat cut up.

Q. At what distance from assistance or from white association do most of the white planters and their families reside?—A. Do you refer to association outside of the county?

Q. I mean as to the irneighbors.—A. As I said awhile ago, the white population is now much larger than several years ago. Take my neighborhood, for instance, as a sample: there, within a radius of two miles, I could include five or six families, perhaps six or seven families. Along farther down remote from the town, or the village, the plantations are larger and the whites much more sparse; sometimes one or two white people on a plantation, while there are perhaps from 100 to 150 colored people of all sizes and sexes; sometimes two or three on a plantation where there are 40 or 50 negroes.

THE POWER OF THE BLACKS IF THEY KNEW THEIR STRENGTH.

Q. I desire to obtain from you an idea as to the relative want of protection of the white people of that county should the colored people be disposed to injure them.—A. If the colored people were disposed to do that thing, and had the capacity for organization, and could keep their own counsel, they could annihilate the white people in a very short while, there is such a disparity between their numbers; and it was that very fact that kept us in constant alarm there, and caused us to open our eyes and to act with a view to our safety.

INTERFERENCE WITH VOTERS.

Some of the testimony tended to prove that in some cases colored men were deceived or cajoled into voting the democratic ticket.

There is nothing in any part of the testimony to prove any obstruction to the voter "on account of his race, color, or previous condition of servitude," but in every case the objection was to the party ticket he proposed to vote; to *the color of his political prejudices*, and not to the "color" of his skin referred to in the fifteenth amendment.

The white people earnestly sought to induce the colored people to vote, and to vote the same way they did. To this end they held public meetings, made numberless speeches, appealed to their colored fellow-citizens in every conceivable manner, that they *should* vote, and vote with them for the common interest of all.

To justify any legislation by Congress to enforce the fifteenth amendment, the obstruction of the "right to vote" must be for the sole reason of *race*, or *color*, or *previous condition*, &c., and there is no power in Congress to interfere for *any other cause whatever*. There is not from the beginning to the end of this testimony a single case of the obstruction of a voter *because he was a colored man*.

In every case of alleged unlawful interference with the right of suffrage, it was because the voter was in opposition to the political sympathies and wishes of the person interfering.

Intimidation and violence are almost as frequently alleged toward white men as colored men, and perhaps the bitterest opposition was proven toward the former class.

Yet it cannot be said that the race or color of these *whites* induced other whites to "deny or abridge" their right of suffrage.

The testimony of many witnesses, white and black, proved the gross intimidation of colored people by other colored people. Now, this was not on account of race or color, but for the same reason which caused all other intimidation and interference in the State—*i. e.*, *opposition to the voter's political views and actions*, not because he was a colored man, but because he was voting in opposition.

The Supreme Court of the United States distinctly say, in the opinion we have already cited:

> The fifteenth amendment did not confer the right of suffrage upon any one.

It gave to the Congress the power to guarantee its exercise *in case* it should be denied or abridged *on account* of *race* or *color* or *previous condition*.

If the right to vote be denied or abridged *for some other cause,* the State, and not the United States, must exercise its protecting power over the citizen and remedy his wrong.

If a colored man be driven from the polls because he comes up with a republican ticket, and when he returns with a democratic ticket is welcomed and assisted to vote, there can be no doubt but that his "right to vote" (which means, of course, to vote according to his free will) has been abridged; but not having been abridged *because of his race or color*, but because of his political views, the power and duty to remedy the wrong he has sustained are, according to the decision of the Supreme Court, in the laws of the State where he resides, and not in the United States.

Holding this proposition to be true, then the testimony overwhelmingly establishes the fact that negro voters were welcomed into the democratic ranks, and every effort made to procure them.

If negroes were intimidated, it was not because they were negroes, but because of their obnoxious political views.

As a necessary consequence, it follows that Congress has no power under the fifteenth amendment to the Constitution to punish any invasion, however gross and reprehensible, of personal rights of suffrage which is not based upon the particular cause of the race, or color, or previous condition, &c., of the party injured.

Having thus stated the limitations upon the power of Congress, which a respect for the Constitution of our Government and to the decisions of its highest judicial tribunal has dictated, we cannot refrain from an expression of our abhorrence and hearty reprobation of every act of lawless, and so often brutal, interference with the rights of citizenship which were related by witnesses in our presence.

Prosperity and happiness can never thrive in a community where such scenes of violence can be enacted without condign punishment. By a law higher than man's the "wages of sin is death," and it will be vain for the people of Mississippi to look for the advancement of their State to that position in the ranks of wealth, influence, and reputation which those who love her would desire to see her occupy, until the spirit of law shall be strengthened and assert itself over the "dangerous classes," who have brought disrepute upon her good name.

We are glad, in this connection, to express our sincere and profound conviction that under the present State administration and government of Mississippi all the elements for the needed reforms exist and will be developed, so that a remedy for every wrong will be surely found in laws ordained and administered in a spirit of benevolence and justice to all classes within the borders of the State.

A vast majority of the people of Mississippi have every element that constitutes a good American citizen. They are law-abiding, peaceful, and industrious, and they have every impulse in favor of justice, peace, and order, and all they now need is the kindly sympathy of their fellow-citizens in other States in the great distress which war and a totally revolutionized condition of their social and labor systems, coupled with gross maladministration of their State affairs, has brought upon them. They have been the victims of a misrule which they sought in vain to avoid or remedy.

In simple justice we ask, should the white masses of Mississippi be held responsible for the results of bad government, against which they have petitioned and protested in vain for years? Is it just to hold those responsible from whom all power has been withheld? The requisite means are always necessary for the desired end. In all the centuries

the demand that the children of Israel should make bricks without straw has been cited as an illustration of tyrannical injustice; but is it not equally and even more unjust to demand of the white people of Mississippi the results of good government, when bad government has been fastened on them against their best efforts to prevent it, their entreaties, and their prayers?

Let them fully and fairly test their present opportunity to produce peace and order and prosperity by exercising their faculties for self-government.

The evils that have been enacted they were not justly responsible for, and their sufferings should call for sympathy, and not denunciation. Why should not this portion of our fellow-countrymen be made to feel that they have the rights as well as the responsibilities of that local self-government which is so freely enjoyed and jealously guarded by their fellow-citizens of the Northern States?

Is it consistent with justice, wisdom, or expediency to put the stigma of inferiority upon any State of the Union, by asserting a power and right to make inquisition in her management of those domestic and internal affairs which by the express terms of the Constitution, and by common consent and practice, are reserved to other States, who are never questioned in their control over them?

No attempt seems to have been omitted to bring the white people of Mississippi into ill-repute with their fellow-citizens of the North.

What, it may be asked, have the flags used at a political celebration to do with infractions of the Fifteenth Amendment? Yet the following testimony will exhibit the intent to create sectional prejudice against them, (see testimony of John T. Harrington, at page 233:)

NO AMERICAN FLAG, BUT TWO HUNDRED OTHERS.

By Mr. BOUTWELL:

Q. Were you at the West Point meeting of the democrats, two or three days before the election?—A. Yes, sir.

Q. Did you see the flags exhibited there?—A. I think I saw two hundred flags, but no United States flag.

Q. What were they?—A. There were some very nearly—I cannot say if just exactly—like the confederate flag, and all sorts, shaking and waving. *But I saw no United States flag.* At the West Point meeting, up and down the streets on both sides, for nearly a quarter of a mile, over both sides of the street, thirty or forty feet high, on the tops of the buildings.

By Mr. BAYARD:

Q. Did you walk along the whole of that street?—A. No, sir.

Q. Where were you?—A. I was at my office, and went from my office to the hotel where the district attorney was.

Q. Did you pass by and along this row of flags?—A. Well, I could see up the street.

Q. How far could you see? I think you said you had ophthalmia, or something, which prevented you seeing very far?—A. O, I could see. I cannot discriminate features half across the street. I could see these bars and colors.

Q. Did you see confederate flags at that meeting?—A. No, sir; I said flags resembling. They might have been like them. I do not know how many of these stripes they had on them. I do not know that they were full confederate flags. I know about the various colors, and from the appearance of confederate flags which I have seen.

Q. Was there no United States flag, then?—A. I did not see any. I seen the particular ones. I think those on the court-house, if any, United States flags.

Q. Did you walk along the entire line of the street where those flags were?—A. I did not walk along the entire line; I think near the lower corner, and looked up.

Q. That was the meeting at West Point?—A. Yes, sir.

Q. When?—A. The Thursday before the election, I think. The election was the Tuesday following.

The answer to this miserable slander is to be found on page 253, in the testimony of Mr. R. H. Shotwell:

Q. Harrington stated here that there were no United States flags exhibited on the day of the celebration. What have you to say about that?

The CHAIRMAN. He did not state that.

Q. In order that we may know the facts, you may state what you discovered there. I thought that he stated that there was no United States flag, and he did say that there were flags that were very like confederate flags; and he left the impression, as I understand, and meant to leave the impression, that there were no United States flags.—A. The flags he supposed to be confederate flags were just flags of red calico and white bleached domestic, which were hung by a Frenchman in our town after the style, as he said, of ornamenting the streets in Paris on public days; and he made a beautiful display of white calico and red calico, *but the stores and all the public buildings were ornamented with United States flags—five hundred of them, I reckon—and a long procession of horsemen, and very many of them had United States flags attached to their horses' heads, and the children all over town had little flags* and were at the windows and doors saluting the procession as it passed by. It would look rather bad to let that go without a refutation.

Mr. Harrington also stated something in regard to a speech by Mr. Barry. I heard that speech, and no such language was used by him as was attributed. All the addresses made to the negroes were of the most conciliatory character. The negroes were treated with the greatest degree of kindness by every man, so far as my knowledge goes. I believe hundreds of these men who came here would testify that they were not intimidated.

The character of the witness Harrington is thus given by Mr. Shotwell at page 249:

He is now under bond. This brother of his (J. T. Harrington) who testified here, I can show by any quantity of witnesses that he is a man of notoriously bad character; that he has been indicted for horse-stealing and for kidnapping negroes—not indicted for kidnapping negroes, but he had been charged with it, and a white man and a negro caught him at it. That was during the war. After the war he brought a suit for damages against one Anderson Beam for $20,000 damages, for making those charges against him, and the suit was finally dismissed by J. T. Harrington at his own expense. As to that Harrington, I can bring fifty or a hundred men, if necessary, here.

By the CHAIRMAN:

State what you know of your own knowledge.—A. I am stating as to his character of my own knowledge. I am just speaking of the character of the man.

By Mr. BAYARD:

Q. Of his reputation in the community?—A. Yes, sir; the general bad character of the man; that he is regarded as a horse-thief. I have no doubt I can produce witnesses who would testify, any number of them, that they would not believe him on oath—80 or 100 men. I can name the party that caught him trying to kidnap a negro —William Nixon.

The report of the United States grand jury is also appended to the evidence, (Part 6.)

In criticising this highly sensational document, it would seem reasonable to ask if such a denunciation of the State could be made by the nineteen republicans and one democrat who composed the grand jury. Why did they not find indictments for the punishment of some of the alleged crimes?

If they had a majority to denounce, why not to bring to justice?

Its publication would seem to reflect upon the district attorney, whom it affects to praise; for if he had done his duty, the guilty would have been presented for indictment.

It seems plain that this report was a partisan assault—a mere blast of defamation against their political opponents—for no one can doubt the indictments would have been found had the evidence warranted it. The President of the United States has caused to be annexed to his message on South Carolina troubles the following letter of District-Attorney Walton, which shows how little responsibility the "shameful ailure of justice" belongs to the white people of Mississippi:

OXFORD, MISS., *July* 15, 1876.

SIR: I have the honor to submit herewith the report of the grand jury lately in session here, together with the evidence on which it is based. This evidence, you will see, plainly required the jury to indict a great many persons for violations of the elec

tion-laws; but, out of eighteen jurors, seven were found who refused to concur in any such indictment. *I learn, however, that all but one of the jurors voted for this report. All but this one professed to belong to the republican party;* and some of those who finally voted against the eleven who were for the indictments were throughout the whole session apparently the most reliable men we had to sustain the indictments, and the most zealous in investigating the cases. *This was particularly true of the man who wrote this report*, yet he finally went against all prosecutions, though we had conceived him to be the most earnest, as he had certainly been the most active, man among us, in bringing to justice, or at least in investigating the election cases.

I can only lament *the shameful failure of justice* which has taken place, and I have little doubt that it must and will give a most unbridled license to lawlessness at the next State, if not at the next Federal, election.

I am, sir, your obedient servant,

THOMAS WALTON,
United States District Attorney.

HON. ALPHONSO TAFT,
Attorney-General.

In this connection it is proper to note that section 820 of the Revised Statutes of the United States provides as cause of disqualification and challenge of grand and petit juries in the courts of the United States, "having served in the rebellion, or given it aid or comfort, or to have given, directly or indirectly, any assistance in money, arms, horses, clothes, &c., *anything whatever*, for the use or benefit of any one whom the giver knew to have been engaged in arms against the United States," &c.

This law was enacted in 1862, and although provisions for its repeal have more than once passed the House of Representatives, yet by the refusal of the Senate to concur still remains upon the statute, most unfortunately as we believe.

It works an absolute exclusion of nearly every native white citizen in the Southern States from the United States juries.

In the selection by the United States marshal in Mississippi the juries were almost exclusively composed of republicans, colored and white. (20 to 1, see Walton's letter.)

Attention is drawn to this, because the better classes of the white citizens have been bitterly assailed and condemned because they have not actively assisted in convicting offenders; at the same time they have not only been excluded from office, but not even allowed to sit upon the juries.

We submit these facts to the consciences of our countrymen.

A letter from W. F. Tucker is also published, at the request, of the chairman, directed to Mr. Frazee, the foreman of this grand jury to be found at page 151 of the documentary evidence.

If Mr. Frazee believed this letter was intended to deter him from doing his duty, his course and duty were plain. The letter should have been handed to Judge Hill, who, by a bench-warrant, could have brought Mr. Tucker to answer.

But the publication of the letter by Mr. Frazee proves that he did not so construe it, and certainly that he derided it.

Whatever impropriety may be adjudged Mr. Tucker, it is his individual sin, and should not be visited upon his innocent fellow-citizens.

Throughout the testimony much of the alleged intimidation was by violent language, profanity, and vague and mysterious threats, which, however improper and reprehensible, are, we regret to say, much too common in every heated political canvass in almost every county in the United States, and are not peculiar to the State of Mississippi. The object of the introduction of such testimony could only be to create prejudice, as it certainly could not have been intended as a basis for legisla-

tion. There is not a State in the Union which is not assailable on similar grounds.

During the canvass, and in the midst of this growing feeling between the races, Davenport, the colored county clerk at Vicksburgh, who has been indicted for forgery of warrants, made a public speech, saying "He would have a white wife from among the best families," which W. F. Fitzgerald, republican, one of Ames's brigadiers, testified at page —, "Had more to do with creating excitement than anything else." In a community where the white people are largely outnumbered by the blacks it is not surprising that deep resentment and excitement should follow such declarations.

Wilkinson County and Feliciana disorders.

This county was carried overwhelmingly for the republican ticket in 1875, and therefore no evidence impeaching the election was taken; but as it is situated in the southwest corner of the State, on the Louisiana State-line, on May 18 the honorable Senator from Indiana introduced the following resolution, which was adopted:

Resolved, That the special committee heretofore appointed by the Senate to investigate the late election in Mississippi be instructed to investigate also the late alleged killing of people and outrages committed near the Mississippi and Louisiana line, and on and near Bayou Tunica, and on Red River; and that for this purpose the committee shall have all the power and authority conferred by the original resolution for their appointment.

The witnesses summoned were from the parish of East Feliciana, in Louisiana, and from Wilkinson County, Miss. The region embraced by this county and parish is remote from routes of travel, and in Louisiana the presence of Governor Kellogg's tax-collector, Col. Frank Powers, heretofore mentioned in connection with Amite County, has caused law and order to be little regarded.

W. H. Noble, the republican sheriff of Wilkinson, testified (see page 1604) that negroes there in his custody admitted to him that Aaronson, a white store-keeper over the Louisiana line, who had just moved into the neighborhood, was murdered by a body of negroes who were passing his store in search of one Howell, another white man, who had brutally assaulted a negro man the day before.

When Aaronson's murder by the negroes became known, the white people, to the number of one hundred or more, visited the locality, and arrested and hung two negroes, who confessed their murder of Aaronson.

The affair created great excitement, and the two races commenced organizing and arming themselves.

Reports of the armed organization of the negroes were rife, and their intended destruction of the white people.

Sheriff Noble summoned an armed posse, at the head of which he placed himself, and his command in three columns moved toward the western side of the county, where the negroes were reported to be massed and armed.

One of these companies, at the plantation of Sheppard, came in conflict with some armed blacks, in which encounter six negroes were shot and two white men.

At page 1602 Sheriff Noble testifies:

A FIGHT WITH COLORED MEN.

In the mean time when I had left this place, Donegal, I had sent a squad out from there along the Fort Adams road with Colonel Jackson at the head, as deputy sheriff. I wanted to get across there to meet Colonel Jackson before he got to Fort Adams. As

I was going across I heard some guns fired; and before I could get up there, a fight had taken place in the quarter with some colored men who had been armed; or it was, at least, right next to the quarter in the fork of the road. As soon as I got there, I found out what was the matter—that they had met some armed colored men there, and that these men had fired on them, and they had returned the fire and followed after them; and they caught one of them, I think. I did not see him, though I heard afterward that they had caught one and hung him.

I took command of that squad and went across to this thickly-settled portion of the county where the Shepard places were, where I understood that those negroes were armed. Those colored men I had met were men from the Shepard place, where I had heard this firing; but when I had got up there the firing was over. I saw six negroes that had been killed there in the fight.

Q. How many men were on the white men's side?—A. I think there were forty.

Q. How many on the black men's side?—A. Over one hundred.

THE NEGROES OPEN FIRE.

Q. Was there firing begun on the one side and returned on the other side?—A. Yes, sir; I have got a prisoner now in jail, John Martin; he was the leader of the negroes.

Q. What does he say?—A. He told me that when this squad first rode up, Colonel Jackson at the head of them, that they waved their handkerchiefs at them. I think Colonel Jackson first rode up there, and there was such a large crowd of negroes that he was afraid to attack them, as they were all armed; and he waved his handkerchief at them, as this fellow, John Martin, says. The rest of the negroes say that John Martin was the man that did it; but he says that some other negro in the crowd, thinking that Jackson was me, said, "That is Noble; shoot him; that is the God damned son of a bitch that has gone back on us; shoot him!" and they fired; they must have been two hundred yards off when they fired.

Q. Then the firing was returned?—A. Then the firing was returned by these white men, and they flanked this crowd of negroes; sent one party, who went away round behind them, and the other party, who was in front of them, drove them right up; and the negroes ran, and the party in the rear just flanked them, and they had a fire upon both sides of them, and then they commenced to retreat.

Q. How many were killed in that collision?—A. Only six that I saw. I went round there and looked all through the quarter.

Q. Who is this man John Martin; how did you get him?—A. He was captured at Natchez; he escaped in that fight.

Q. He has told you this?—A. Yes, sir; that is just simply, though, in corroboration of what other witnesses said—Mr. Shepard, Mr. Patrick, and Mr. Leyman. Mr. Leyman was owner of the store that they robbed—took the powder and shot from.

At page 1636 is the deposition of J. H. Jones:

GENERAL WASTEFULNESS IN COUNTY EXPENDITURES.

Q. Had you the same system of wastefulness in other branches of expenditures in your county?—A. Yes, sir; these are facts that cannot be disputed. We had, for instance, bridges built. I know in one instance $1,500 were paid for building three bridges, and I crossed those bridges after they were built, and one consisted of only four planks, a foot wide, thrown across a small stream; and another one had eight planks, and the other one not over twenty; and they had nothing to do but just put the sills across and lay them on them.

Q. What was the value of those bridges?—A. One hundred dollars would have covered the cost of building them.

Q. Would you have been willing to replace them for that?—A. Certainly.

Q. What did they charge the county for them?—A. Fifteen hundred dollars. They paid $126 a barrel for pork in county warrants for the jail. When the war ended we had a debt of four, five, or six thousand dollars, and we have got a debt of no less than sixty or seventy thousand dollars now.

These occurrences took place in the month of May last, when there was no election at hand, and no occasion whatever for political excitement. The county of Wilkinson had, as we have stated, entirely a negro government, and the republican party held all the offices.

The character of such government is but a repetition of the same sad story as we have related of other counties similarly governed. (See page 1638, deposition of Mr. Jones.)

STEALING STOCK A GREAT DRAWBACK TO THE PROSPERITY OF THE COUNTRY.

I would like to make some statement of the condition of affairs that possibly brought this matter about indirectly. Since the war it has been found utterly impossible in our county—and in the South generally, for that matter, I suppose, but I speak of what I know—to raise a hog or a beef. We have the finest imaginable stock-country on the face of the globe. The cattle will take care of themselves all the year round, and need no housing. Any negro can raise himself a few pigs with the culch and trash that he gets from his cabin and the natural advantages of range, and there would be no people better off than they, instead of having to mortgage their little crops and paying thirty to forty dollars for a barrel of pork. But the thieves would not allow it; they would steal a fat hog, it did not make any difference whose it was; and a great many of the leading colored people joined us in this matter.

OFFENSES TRIED BEFORE JUSTICES THAT WOULD CURSE THE COUNTRY.

Under the laws nothing was grand larceny under $25, and there was scarcely a cow that could be proved to be worth that sum, and when it was more than that the offense was tried before a set of justices of the peace that would curse almost any country; and to-day there are only two white men that are justices in our county, and the rest of them are very ignorant negroes; and there is not one who can draw up a summons properly. One of the white justices is an old raftsman, a very ignorant man. They get their costs in criminal cases if they don't convict. For stealing a cow they will fine a man $5 and costs, and sometimes they may go up to $10 if they thought they could stand it. But sometimes they fine a negro and give him four or six weeks in a jail; but in winter that is no punishment for him, where he is fed and kept warm.

LAW FAILED TO CHECK THE STEALING—THE CLUBS ORGANIZED TO STOP THEFT.

In other words, the law had wholly failed to check this stealing, and the people were getting completely dispirited about it. Every legitimate means was employed without avail, and it was determined to put it down; and clubs were formed, some three or four in the county, for the purpose of protecting parties from this thieving; and it was determined when they caught a negro, and could prove it on him, to punish him by whipping.

One of the clubs I know had at the time of this outbreak thirty or forty men in it, and there had not been an ox or a cow or any stock of any kind stolen in the neighborhood for six months, and all the negroes now have their hogs. I know the colored men in my neighborhood joined very heartily in it, and in other neighborhoods also. But those who it seems were losing their occupation by this rigid mode of putting down the stealing began to raise discontent; and on one occasion, about three months before this, they went so far as to positively forbid the formation of a club—the white men's club, as they called it. We called them the "honest men's clubs." They met a second time two weeks afterwards, and I went down and was invited to address the club. I found some thirty or forty gentlemen there unarmed; and about forty or fifty negroes met at this place, and thirty of them with their shot-guns, as they had done on previous occasions.

NEGROES WOULD NOT JOIN THE CLUB AND WERE INSULTING.

I gave them a lecture and told them it was improper for them to be coming there with arms in their hands to interfere with white people's meetings, and that the white people were not armed; and we invited them to join us, but they refused, and were very insulting. We told them we were going to have a club there, and if they interfered with us, and molested the colored men who were willing to join it, it would be at their peril. Some white men went down afterwards and did form one.

I suppose this sudden outburst was caused by the dissatisfaction at the formation of those clubs and the breaking up of this thieving. I do not say that I believe it was premeditated at the time to bring on a fight; it was entirely unexpected to us, and like an explosion, and there was none of the prominent republicans in the county who took part in it at all in any way. That is about all I know of the facts.

What these disorders, tragical and shameful as they are, have to do with the fifteenth amendment and the "right to vote," does not appear to the minds of the undersigned. That they exhibit a condition of things impossible under a decent government of laws, no one will deny; and upon territory under the control of William P. Kellogg, governor so-called) of Louisiana, they were certainly committed.

The majority of the citizens of Louisiana, in 1872, voted to elect John McEnery their governor, and the ballots still in existence, as well known to the Senate, exhibit a majority of over 9,000 votes in his favor. But the President of the United States, by the armed interposition of the Federal power, overthrew the will of the people of Louisiana, and installed Kellogg and a kindred legislature in office and power.

His government never had, nor deserved to receive, the respect of the people, whose will, if allowed to be exerted, would have driven Kellogg and his adherents like chaff out of their places.

That discontent and disorder should prevail, is not at all surprising, and that Kellogg should appoint Col. Frank Powers, a ruffian and a brigand, to office, will astonish no one.

But we doubt whether any mind will be so utterly unjust as to hold the white people of Louisiana or Mississippi responsible for the outrages caused or encouraged by Kellogg's appointees, or the disregard of law, decency, and order, in all of which Kellogg himself is pre-eminen t.

COERCING EMPLOYÉS TO VOTE.

Throughout the investigation the inquiry was frequently made by the majority whether there had not been intimidation practiced by threatening to discharge men from employment if they did not vote in compliance with their employers' wishes, and in many cases such facts were proven.

However important it may appear to the undersigned that the moral and intellectual independence of the individual voter should be respected, and that no methods of coercion should be used to influence the free exercise of suffrage, yet in the face of the admitted and almost general violation of these sound and just propositions by public and private employers in all sections of the Union, it would seem scarcely credible that it should be proposed to select Mississippi as the one State for the application and enforcement of a rule which is disregarded everywhere else, by alleging violations of the fifteenth amendment.

Thus lately the republicans in the State of New Hampshire, by a formal address of the legislature, approved by the governor, made a clean sweep of their democratic opponents, on the sole account of political opinion.

In House Mis. Doc. No. 65, present session, the testimony taken in the contested election of Platt *vs.* Goode, at page 254, will be found the deposition of Jesse Mahoney, a ship-carpenter in the Government employ in the Portsmouth (Va.) navy-yard.

Deposition of Jesse Mahoney.

JESSE MAHONEY, a witness of lawful age, being duly sworn, deposes and says as follows:

By JOHN GOODE, Jr.:

Question 1. State age, residence, and occupation.—Answer. Age, forty-four years; residence, Second ward, Portsmouth, at present; occupation, ship-carpenter, first-class.

Q. 2. Are you employed in the navy-yard?—A. I am not, at present.

Q. 3. When were you last employed there, and when were you discharged?—On the 4th of August, 1874, and discharged on the 11th of November, 1874.

Q. 4. State how you procured your employment on the 4th day of August, 1874; what steps were taken by you to procure it; whether you had any conversation with Hon. James H. Platt, jr., on the subject; and, if so, all that was said.—A. In May last, 1874, I went to see Mr. William Smith, foreman of shipwrights in the navy-yard, to give me work. He told me he would do what he could, and then I went over to Nor-

folk about the middle of May, 1874, and seen Mr. James Platt, and asked him would he give me employment in the yard. He then told me to get a letter from the executive committee, and indorsed by the chairman, send it to him to Washington, and he would put me to work.

Q. 5. Did you get the letter from the republican executive committee or any member thereof?—A. I did not.

Q. 6. Did you make application for it?—A. I did, to the chairman of the committee, James H. Clements.

Q. 7. When did you make application to Mr. Clements?—A. On several occasions.

Q. 8. What did he say?—A. He told me he would do all he could to get me in.

Q. 9. Has anything else occurred, besides what you have stated, to make the impression upon you that in order to procure employment in the navy-yard, it would be necessary to get the indorsement of leading men or officials belonging to the republican party?—A. It was, in March, 1873. I was at work in Norfolk; knowing that I could not work in the yard without affiliating with the republican party, I came over here. I see Mr. James H. Clements to give me work in the yard, that I would support their party, which I did up to November election, 1874; then I supported Mr. Goode.

Q. 10. State whether or not you voted with the republican party in the spring election of 1873, and if so, what induced you to do it?—A. I did vote with them—for my bread and meat, and not from principle.

Q. 11. Could you have procured employment in the navy-yard in 1873 or 1874 without a promise, either expressed or implied, that you would support the candidates of the republican party?—A. I could not.

Q. 12. How were the men generally employed in the navy-yard—upon whose recommendation?—A. By the republican committee, so far as I know.

Q. 13. Did the officials in the navy-yard, as a general thing, employ any workmen without the indorsement of the republican executive committee?—A. They had to be indorsed by the republican executive committee.

Q. 14. You have stated that you voted for me in the November election; state, according to the best of your knowledge, information, and belief, whether that vote had anything to do with your discharge from the navy-yard on the 11th of November, 1874?—A. I believe it did.

Q. 15. Have you heard anything on that subject from any official in the navy-yard? If so, state it.—A. Not officially. I was challenged by one of the bosses by the name of Patrick McDonough; he came under the ship's bottom, where I was at work; says to me, "Jess, I am told you voted the conservative ticket." "Pat, I did vote the conservative ticket, for the Hon. Mr. John Goode." He says, "I understand that you got whipped by the conservatives." I told him, no, that I did not. It was some prejudice that existed a long time that got me hit.

Q. 16. Was any pecuniary assessment made upon you, as an employé in the navy-yard, or did you pay any money without assessment for Mr. Platt's election purposes, during the last congressional campaign? If so, state fully all you know about it.—A. I had a written circular passed to me with the request for a day's pay. In that circular I saw where the bosses had to pay $20, the quartermen $10, the eighthmen $5, first-class mechanics $3 20, second-class $3; and about the 19th of October, 1874, I went to Mr. Smith about this pay. I told him that I was in here only a short time: that I was only able to pay $2. He told me that would not do; he wanted the whole; that he was tired of it.

Q. 17. How much money did you pay?—A. I give him $2.

Q. 18. Who is the Mr. Smith to whom you have referred?—A. William F. Smith, foreman, or the boss of the shipwrights, under whom I worked.

Q. 19. Did you pay that money willingly or not?—A. I did not pay it willingly.

Q. 20. What, then, induced you to pay it?—A. Thinking it would give me a longer job.

Q. 21. Was it or not generally understood, so far as you know, among the men employed in the navy-yard, that if they failed to meet the assessment made upon them it would result in their discharge or deprive them of a job?—A. As a general thing they thought it best to pay it, in my opinion.

Q. 22. Was it, or not, generally understood, among the men employed in the navy-yard during the late congressional campaign, that they would be expected to vote for Mr. Platt, and that if they failed to do so they would incur the hostility of those who controlled the patronage in the navy-yard?—A. It was, in my opinion.

Q. 23. How many men were employed in the navy-yard during the time you were there, from the 4th of August to the 11th November, 1874, according to your knowledge, information, and belief?—A. To my belief, in the construction department there was two hundred men on the ship-carpenter's roll. Some were put there as mechanics who were not. There was about four hundred laborers during the month of October in that department, two hundred more than was needed, to the best of my judgment. There was some imported from Isle of Wight and worked on the ship-carpenter's roll who were no ship-carpenters—one from Isle of Wight and one from Williamsburgh;

one from Isle of Wight named Juba Gordon, (colored.) There must have been in the whole yard in the neighborhood of 1,700 men, in my opinion; to the best of my judgment.

Q. 24. You have stated that men were brought there and put on the ship-carpenters' roll who were not carpenters. What did those men do; in what kind of work were they engaged, and how did they spend their time?—A. They spent their time "down east"—down in the privy. Down east, we call it.

Q. 25. Did you ever see those men carrying old lumber or iron about the yard as if to keep up a show of employment?—A. I have seen a gang of men taking deck plank and pile it from one place to another to keep themselves employed.

Q. 26. Was that large number of men employed there during those months necessary or not, for the legitimate purposes of the Government, in the navy-yard?—A. I think not.

Q. 27. Did you attend a republican meeting held at Temperance Hall, in Portsmouth, a night or two previous to the election?—A. I did; the night before the election.

Q. 28. Who presided over that meeting?—A. James H. Clements.

Q. 29. Does Mr. James H. Clements hold any Federal appointment in Portsmouth?—A. He does. He is postmaster, and has been for some years past.

Q. 30. Did you hear any instructions given at that meeting by Mr. Clements the chairman, or by any one else, as to how the voters should receive their tickets on election-day; how they should hold them, and how they should deposit them in the ballot-box? If so, state what they were fully.—A. Mr. Clements told them he did not want "no backing out," and "no lagging" the vigilance committee. One must hold the tickets, and only give the ticket to the man that was going to vote. The voter must hold it in his hand so it can be seen when he deposited it, so the vigilance committee-man can see him deposit it; when he deposited it right, he was to be tallied.

Q. 31. Was any proclamation made or notice given of the names of the committeemen from whom the voters should receive their tickets?—A. Not that I know of. It was late when I got in, and the voting was all through with.

Q. 32. Where did you vote on the day of election?—A. I voted in the Second ward.

To the same effect are the depositions of William W. Bain, p. 234; of George W. Glover, p. 266; of Joseph Broughton, p. 283; of Francis Russ, p. 309; but it is unnecessary to multiply illustrations of what every man in the country knows is the invariable practice in all the executive departments of the Government—never to such an extent as under the present administration.

In the investigation of the New York custom-house in 1872, it was proved that official positions were frequently the price of partisan services. (Vol. iii, p. 608.)

By Mr. HOWE:

Q. Now, what efforts have General Arthur, or Mr. Cornell, or Mr. Laflin, or Mr. Darling made to control the political action of their subordinates?—A. The only special knowledge I have on that subject *is that every single one of their subordinates has to act in a certain political way. There are a few men there who I know are forced, in order to keep their places, to do just exactly contrary to what they believe to be right.*

Q. Now, who are those?—A. I do not propose to tell them if I can help it, because every one of them would be turned out of office. (Examination of General George W. Palmer.)

At page 702, same volume, deposition of James L. Hastie:

Q. What was the offer made by Mr. Murphy's agent to you? Just repeat the offer made by him in case you would leave your place upon the ticket and allow Mr. E. D. Morgan to go to the convention in your stead.—A. *That I could take a sheet of white paper and write my own terms for myself and friends in the district. Any positions that I would choose to select would be given.*

Q. Positions in the United States service in the custom-house?—A. In the United States service for myself and my friends. Take a sheet of paper, and write out my own selections.

The individuals who were interrogated by the present committee were, however, only Mississippians, into whose private and personal dealings with their employés an inquisition was made, which we do not believe would have been attempted or tolerated in the State of Massachusetts or any other State, where the right of local self-government is acknowledged and is suffered to exist.

However open to reprobation such attempts at coercion of opinion may be, no one can suppose it is within the power of Congress to interfere, excepting by the control vested in each house respectively over its own membership.

SOCIAL OSTRACISM.

Testimony was taken to prove the unwillingness of the southern white people to associate intimately with many of the witnesses. Judging from the account given of themselves by those who made this complaint, the undersigned are disposed to coincide with the parties complained of, and do not believe that in the Northern States the social standing of these witnesses could be very high, or intimacy with them generally desired. But it does seem to us absurd to suggest the regulation of private intimacies and associations by act of Congress. History has been read in vain if the folly and futility of all such attempts be not admitted. Time, the great healer of grief, may steep in oblivion the memory of the great losses with which the people of the South have in the providence of God been visited. But the wounds are too recent not to be touched gently. The members of many a household in Mississippi are clad in the garb of woe, and mothers, sisters, and wives are pale with sorrows that will not cease until the union with their loved and lost shall come with the end of their earthly troubles.

Into these associations a stranger may not intrude; a man of feeling would not if he could, and an unfeeling man should be repelled.

The fireside of a citizen, however humble, is a domain which neither congressional committees nor any one else has a right to enter unbidden by its owner. Nothing in the letter or spirit, the theory or practice of American government, even suggests such a jurisdiction, and we thus dismiss the subject.

INTERFERENCE BY FEDERAL AUTHORITY

in the State elections and internal affairs of the State has, since the close of the war, frequently taken place, and never without deplorable and disastrous results; and, on the other hand, the applications of minorities, defeated by the popular vote, to be nevertheless installed in office, has never been denied by the Federal authorities without such denial being followed by beneficent results.

Such interference has always been followed (and very naturally) by local discontent and disorder, as in the case of Louisiana and Alabama, while Tennessee, Virginia, North Carolina, Georgia, Texas, and Arkansas, are living proofs in their increased prosperity and tranquility, of the wisdom of non-interference.

THE PROBLEM OF RACE

Will continue to be of the deepest interest to the people of this nation; and it is not the duty or purpose of the undersigned to do more at present than recognize its existence and refer to its solution as a matter of great difficulty. Suffice it to say, that the relations of the African to the white races in the United States do not stand alone for consideration; but on our Pacific coast the dark shadow of an Asiatic horde hangs lowering over the white population, and has aroused their gravest apprehensions.

The African race is now admitted fully to the rights of American

citizenship. Under the fifteenth amendment all power to discriminate as to the right to vote "on account of *race*" is inhibited to the States and to the United States.

Thus, between the admission of the Mongolians to the privilege of suffrage, there now stands but the frail barrier of a single word of the naturalization laws to be added or subtracted at the will of a bare majority in Congress, which can close or open to the teeming oriental populations unobstructed opportunity, by their mere numbers, to control our elections, and our Governments, State and Federal.

The vastness and gravity of the subject will not admit of further discussion in this report.

A few remarks upon the condition of MISSISSIPPI IN JUNE, 1876, will conclude this report.

A rapid journey by railway brought the committee to the town of Jackson, the capital of the State. The examination of witnesses, who were all ready and in attendance, having been summoned in advance by telegraph from Washington, commenced on the day of our arrival and continued all day and every day from June 9 to June 27, when, by traveling all night, we reached the little village of Aberdeen, in Monroe County, and, after three days of close labor there, returned to Washington. No act of a turbulent or disorderly nature was witnessed by the committee, and no signs of enmity or incivility were exhibited; but on the contrary, courtesy and respect were on all hands extended to the committee.

The poverty of the people was apparent in their garb, the appearance of their houses, and the marked absence of good and comfortable vehicles.

The want of horses or equipages for ordinary pleasure was frankly stated to the undersigned by sundry gentlemen, who regretted their inability to allow us to see the surrounding country, simply because they and their families were too poor to indulge in the pleasure of a drive.

Large numbers of ladies in Mississippi, delicately nurtured and carefully educated, are compelled to perform the drudgery of their households unaided by domestic servants.

This great change in their mode of life and fortunes induces them to conceal their wants from a stranger's eye, and frequently forbids that open-handed hospitality once so characteristic of southern households.

The only exhibition of pleasure-seeking witnessed, was by the colored people, whose processions passed the committee-room, and whose holiday excursions by railway started from the depot opposite.

The only cannon-sound was from their republican ratification meeting, and theirs was the only music heard by us in Mississippi.

The poverty of the colored people also was often painfully apparent in the groups of witnesses who clustered upon the long galleries, wretched in appearance and miserably clad, giving to the hotel the apance of a county alms-house.

The reformation in the legislation and administration of Mississippi by the party in control since January, 1876, has thus been important and marked with great benefits to the entire community.

The judiciary has been purified and elevated by the appointment of men learned in the law and irreproachable in character to the bench. The far-reaching and beneficent influences of this single reform can scarcely be overstated, and the blessing to flow to all classes of society and all races of men in the pure and equal administration of public justice may be now hopefully looked for.

The Hon. John A. C. Watson, a citizen of the highest reputation,

both as a lawyer and a man, testified on this subject as follows: At page 1013.

Q. Speaking irrespective of party in the State, what was the effect upon public opinion of the course of administration which you have here detailed as to the growth of confidence or dissatisfaction therein?—A. It created great discontent and dissatisfaction. Many of the republican party became as violent opponents of Governor Ames as the democrats were or ever had been.

Q. I would ask you what, in your judgment as a citizen of the State and a close observer of the affairs of the State, was the effect of the discord in the dominant party in the election in 1875?—A. I think the split in the party contributed more to the overthrow of Ames than any other single cause. And in this way: the negroes hearing their own men abusing each other, seemed to be bewildered.

I traveled over the State a good deal during the last canvass. I addressed the people at this place, (Jackson,) and I addressed them at Canton, at Winona, at Oxford, Taylor's Depot, Hernando, Senatobia, and some other places, besides in Marshall County, and had a good deal of intercourse with the people.

Q. With both parties?—A. Yes, and I noticed a very great change in the negroes. Before, they had been unwilling to hear any but their own speakers, and seemed to have no confidence in anybody else. Last fall, long before the election, they were coming out to hear the democratic speakers. They were conversing with democrats, and before the day of election a good many had openly avowed themselves democrats. In my county and in others, of which I heard, a great many had joined clubs, and I noticed, frequently, one or two who would first go and hear; then they would converse with me, and their change was as gradual and slow as it well could have been. Finally they would avow themselves democrats and become more enthusiastic than anybody else. Such changes were usual throughout the State before the day of the election, and I heard many of them say, "Well, we have made nothing yet by the republican party; they have done us no good, and I reckon it is possibly best to have a change. We will try it." I don't pretend to give their exact language, but the substance of what many said.

Q. Since the election have you observed the sentiments and feelings of the colored population in regard to this change of administration?—A. I think there has been more of contentment, and quiet, and satisfaction among the negroes since the last election than has before existed in the State since reconstruction.

Q. Excluding yourself, of course, what is your estimate of the present state of judiciary, both as to the chancery, circuit court, and the supreme court?—A. I regard the improvement as very great—very great.

Q. Have the offices of chancellor been refilled?—A. Yes.

Q. And the circuit judges also refilled?—A. Yes.

Q. From what class of men, as to legal attainment and character, have these appointments been drawn?—A. They have been made from a class of lawyers who had the confidence of the people and who were competent to fill the places. The supreme court bench, with Simrall, appointed by Alcorn, and Campbell, and Chalmers, appointed by our present governor, Governor Stone, in point of capacity, integrity, and character, is equal to any court in the Union, and there are not more than one or two chancellors or circuit judges that I, myself, as governor, would not have appointed.

Q. Are you aware that the charge had been made that the late election in 1875 was carried by a general system of intimidation and violence on the part of the democratic party toward their political opponents in this State? I will ask you now, what is your knowledge and your judgment as to the truth or falsity of that statement?—A. Well, so far as my personal knowledge goes, I never witnessed anything approaching intimidation by the whites. Cases of intimidation of colored voters by colored voters did come under my observation. There has always been something of that, but much less of it in the last election than previously. A better class of men, as a general thing, were anti-radical candidates last fall, and a more orderly or fairer election was never held, so far as it came under my observation.

Judge Campbell of the supreme court, at page 930, says:

Q. Has there been, as far as you know, since the election an acquiescence in the change of affairs in the State?—A. Entirely so; the most perfect quiet has reigned throughout Mississippi.

Q. Any collision between the races since that, that you are aware of, in your own section of the country?—A. I have heard none anywhere I remember, except on the borders of Mississippi in Louisiana. This matter down here, that is known through the instrumentality of papers; I have heard of no disturbance; perfect quiet has reigned throughout the State except that.

Q. State what has been since 1875 the effect of this change of administration; if there has been any effect upon the happiness and prosperity of the people?—A. It has been most inspiring, decidedly inspiring, to the people.

Q. Is that feeling confined to one race exclusively?—A. I am not able to speak about the colored people. My associations with them are so very limited that I cannot say, sir. My professional duties before my appointment to the bench, and my judicial duties since, have so engrossed my time that really I cannot express an opinion, even about the sentiments of colored men in the State.

Q. Has there been, to your knowledge, a visible improvement in the prosperity and condition in the State since the change of administration?—A. There is no question about that, I think, sir. The prospect for industrial success is decidedly better than it has been. There are much higher hopes in the bosoms of the white people, and, so far as I can ascertain or judge from every appearance, perfect contentment, quietude, and satisfaction among the colored people.

The truth is that the colored people were being incited by pestiferous vagabonds who wanted to stir them up for purposes of their own against the whites. And they would have moved along in their sphere contentedly and quietly, depending on the white people, trusting in them, and treated with kindness by them, but they were stirred up and hopes were created in their bosoms which could not be realized. And there are ambitious men among them, who, catching their inspiration from their leaders, undertook to permeate the whole race with it, and spreading it abroad inciting them and inducing a feeling, when there would have been no such feeling; all would have been satisfactory between the whites and blacks had it not been for the interference of these persons who undertook to use the negroes for their own purposes.

And I will state further that the negroes would have fared just as well and better without any interference at the hands of the mass of the white people, who have far more consideration and kindness for them than these men who make loud pretense of their devotion to them for mere political purposes.

I know the negro race well; I was born and reared among them, and have nothing in the world but the kindest feelings for them; and in my private life and in public life, as they will all testify who have been brought within my influence, I have treated them with great consideration. When on the bench, where they had against them the natural prejudice unhappily existing to a great extent in the minds of their late masters against the newly enfranchised race, I was anxious to secure them from injustice from white jurors, even more so than if they had been white people. I have always had only feelings of the utmost kindness toward them, and have now.

I am prepared to assert that they have done wonderfully well under the circumstances, and would have done far better but for the interference of politicians who stir them up and use them for their own benefit. They have been badly taught and misled and been used as mere puppets to a large extent.

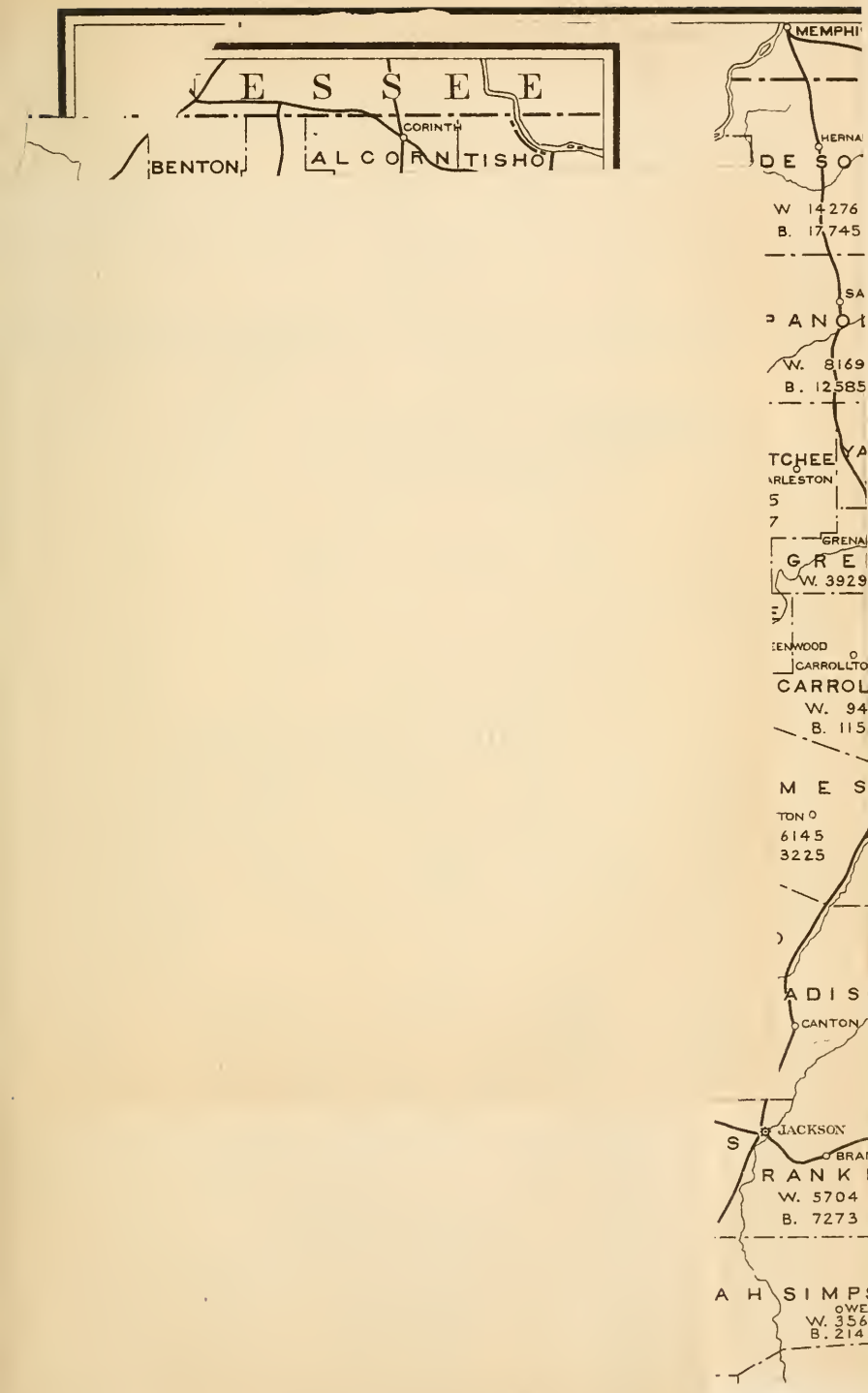
The reduction of expenses by the last legislature was positive and highly satisfactory to all tax-payers.

The condition of public schools is in the main satisfactory, and the provision for their maintenance has been increased by the appropriation of certain license fees and fines to their support. Under the act of 1876, the democratic legislature provided that the public shools should be kept open five months in the year instead of four months as had been before provided. The constitution guarantees free schools. (See page 477, deposition of E. Barksdale.)

On this subject the following extract from the Associated Press report is pertinent and interesting:

THE PEABODY SCHOOL FUND.—On Friday last the trustees of the Peabody fund for aiding the public schools at the South held a meeting at the Greenbrier White Sulphur Springs, at which the report made by Dr. Sears of his last year's work was discussed. From this report we learn that Dr. Sears disbursed from the fund under his charge but a small amount to South Carolina, Florida, and Louisiana, because those States do not foster public education. In South Carolina and Louisiana the republicans have had possession of the government for years past. In Florida the democrats have only recently had any chance of carrying the State. Yet in these three States, where the white friends of the colored people have everything their own way, the school funds have been squandered and dissipated and the school-houses closed. What wonder, then, is it that Mr. George Peabody Russell, who joined in the discussion of the Sears report, gave it as his opinion, from personal and recent observation, "that nothing could be expected from those States in the way of advancing their educational interests until there was a change in their State governments."

By amendatory criminal legislation the live-stock of the farmers has been protected, and the lawless and indiscriminate slaughter of breeding-animals has been made highly penal, so that this year much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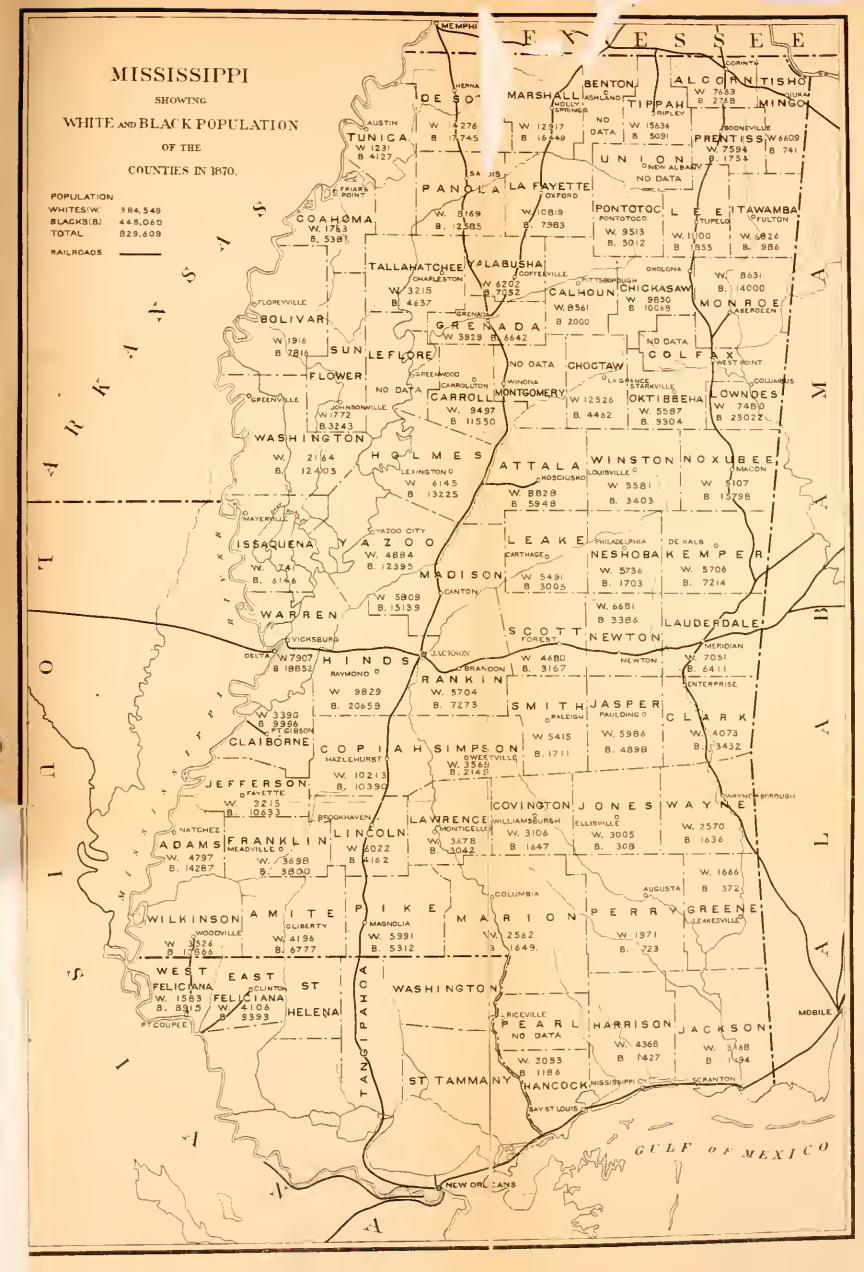
MISSISSIPPI
SHOWING
WHITE AND BLACK POPULATION
OF THE
COUNTIES IN 1870.
POPULATION
WHITES(W. 384,549
BLACKS(B. 445,040
TOTAL 829,609
RAILROADS
TENNESSEE
ALABAMA
LOUISIANA
ARKANSAS
GULF OF MEXICO
DE SOTO
MARSHALL
BENTON
ALCORN
TISHOMINGO
TUNICA
TIPPAH
PRENTISS
UNION
PANOLA
LA FAYETTE
LEE
ITAWAMBA
COAHOMA
PONTOTOC
CHICKASAW
MONROE
TALLAHATCHIE
YALABUSHA
CALHOUN
BOLIVAR
GRENADA
SUNFLOWER
LEFLORE
CHOCTAW
COLFAX
CARROLL
MONTGOMERY
OKTIBBEHA
LOWNDES
WASHINGTON
HOLMES
ATTALA
WINSTON
NOXUBEE
ISSAQUENA
YAZOO
LEAKE
NESHOBA
KEMPER
MADISON
WARREN
SCOTT
NEWTON
LAUDERDALE
HINDS
RANKIN
SMITH
JASPER
CLARK
CLAIBORNE
COPIAH
SIMPSON
JEFFERSON
COVINGTON
JONES
WAYNE
ADAMS
FRANKLIN
LINCOLN
LAWRENCE
WILKINSON
AMITE
PIKE
MARION
PERRY
GREENE
WEST FELICIANA
EAST FELICIANA
ST HELENA
WASHINGTON
PEARL RIVER
HARRISON
JACKSON
ST TAMMANY
HANCOCK
MEMPHIS
CORINTH
VICKSBURG
JACKSON
NEW ORLEANS
MOBILE

TESTIMONY.

TESTIMONY.

WASHINGTON, D. C., *April* 27, 1876.

ADELBERT AMES sworn and examined.

GOVERNOR AMES'S OFFICIAL RECORD.

By the CHAIRMAN:

Question. Please state your age and residence.—Answer. Age, 40; residence, Natchez, Miss.

Q. What official relations, if any, have you held to the people or the government of Missisippi?—A. I have held the position of governor from 1874 until last March.

Q. Previous to that time what relations, if any, did you hold to the people of the State?—A. I represented them in the United States Senate for some four years.

Q. What position, if any, did you occupy in Mississippi during the period of reconstruction?—A. I was military governor and provisional governor.

Q. How long did you occupy these positions in Mississippi?—A. I was military governor nearly a year, both the military commander and provisional governor about a year and a half. That is, my entire term covered a year and a half.

Q. What knowledge, if any, have you of the events in Mississippi in the year 1875, preceding the election?—A. I was, from my position as governor, thoroughly conversant with all events that transpired during the election. I received numerous communictions from all parts of the State, from the leading men, generally those of my own party—the republican party—informing me of the state of affairs.

Q. Of what had actually taken place, or what they anticipated would take place?—A. Of what *had* actually taken place and what was anticipated, judging by the spirit which prevailed in different sections. Of course, there were anticipations of trouble before any serious events occurred.

CLINTON AND YAZOO RIOTS.

Some two months previous to the election there was a very serious disturbance in Clinton, Hinds County, which probably was one of the first outbreaks. It was doubtless *the event* at that time. There were other events which occurred some little time previous to that, of the same character. I speak of this as having, as a matter of course, a political bearing on the election.

Q. You may give to the committee such knowledge as you had personally and officially of these events.—A. My correspondence is not here. I cannot very well give that, but I can procure it. It will take a week or two perhaps for me to look over my papers and select that part which relates purely to the election. I would be very glad to produce it, if desired, or copies of it. One of the first and most important

events was the expulsion of the sheriff of Yazoo County from his county, which occurred, I think, the first day of September.

Q. What was his name?—A. A. T. Morgan. The disturbance occurred at a political meeting. He was the speaker of the evening. He asserts that his political opponents created the disturbance. One man was killed and another wounded, and he was compelled to flee for his life, and has not since, I believe, returned to the county.

Some two or three weeks subsequent to that time (I may not be accurate about the date) the Clinton riot occurred. There was a political gathering, and I believe each side charged the other side with being the cause of the disturbance there. Be that as it may, the effect of it was to intimidate the republicans so that they abandoned the canvass substantially.

SIMILAR DISTURBANCES IN OTHER COUNTIES.

Before the election, events occurred in nearly every large republican county in the State, of this character.

In the counties bordering upon Alabama the officials anticipated an influx of Alabamians. I believe that after the election they asserted that these men did come into the State. They reported to me that there was no fair election in those and adjacent counties. Of course, I know of nothing personally except so far as my correspondence and my personal intercourse with the sheriffs and peace-officers of these counties would indicate. My personal knowledge is confined entirely to the immediate locality where I was. Because of this state of affairs, and after consultation with political friends, it was decided that it would be impossible, under that emergency which then existed, to get the legislature together.

The intimidation was quite thorough in the various parts of the State. I know that in Hinds County the canvass was substantially abandoned; the republican candidates and orators hesitated to undertake it, and the general speakers abandoned the whole contest, to a very great extent, almost entirely.

THE PRESIDENT'S ACTION.

In view of that state of affairs, I applied to the President of the United States for the protection of the United States, which was not granted. Subsequently the Attorney-General, I presume at the suggestion of the President, sent an agent and two detectives, at my request. It was suggested that some disinterested parties should be sent to Mississippi—those who were not friends on the one side or the other—to ascertain the true state of the case. Mr. Chase was the agent sent. He appeared upon the scene, and through his detectives ascertained very thoroughly the condition of affairs there. I would suggest that his official correspondence with the Attorney-General should be obtained. I think it was sent to the Attorney-General as private and confidential, and it would be better, probably, to obtain the original documents than for me to give my impressions or remembrance of what they were.

Q. At what date was Mr. Chase there?—A. He was there probably a month and a half previous to the election, and he remained there until after the election.

Q. The election occurred when?—A. I think on the first Tuesday after the first Monday in November; I think the 4th of November. I think he was there about a month and a half; certainly a full month. He can give the condition of affairs there probably better than I can.

THE TREATY OF PEACE.

It was agreed in order that bloodshed might be avoided that there

should be what was called a "treaty of peace," to the effect that some militia that I had organized should not be used unless they were called for by peace-officers to keep the peace.

Q. Who were the parties to this agreement?—A. The chairman of the democratic state executive committee, one J. Z. George, a prominent citizen of the city of Jackson; and, in fact, the leading man of the democratic party in Mississippi was a party to it, that is, Mr. Barksdale, editor of the "Clarion," although he was not present at the conference. It was the leading democratic gentlemen in the city of Jackson, and the leading men of the State, who represented the party through its official organization. The understanding was, that in case the militia was not used they should maintain the peace at the election and secure a fair election. I gave them credit for the capacity so to do, and at the interview I was led to believe they would do it. As to their capacity, of course there was no question.

Q. About what time did this agreement take effect—when was it made?—A. I cannot give the date exactly just at present.

Q. Was it in writing?—A. Our interview was an oral interview. The democracy had called a meeting of the citizens in various parts of the State, rather adjacent to Jackson, to meet on a certain day; and this understanding between Mr. George and his friends and myself was reported by him to this meeting, and they made a report of this understanding, which was submitted to me in writing and acquiesced in. I think it was some three weeks before the election.

REPUBLICANS REPORT DISTURBANCES.

The understanding was that there should be a fair election; but the republicans all over the State reported to me subsequent to that time that there was still no opportunity for a fair election; that they were being intimidated constantly. Perhaps half the time had expired from the time of the treaty of peace until the election before I was myself convinced that the republicans of the State would have no opportunity for a fair election.

Q. (By Mr. CAMERON.) Will you state generally what kind of intimidations were used, so far as you can now recollect, and whether you know it of your own knowledge or from official communications?—A. I stated at first that I could not very well tell you what was transpiring, of my own personal knowledge. Of course no one attempted to intimidate me personally; no one came and made any threats to me; but the republicans throughout the State were writing to me constantly, and coming to me constantly, and making such representations; that is, that they were threatened to be driven off the plantations; they were threatened with harm, with danger, if they persisted in voting the republican ticket. I can give you the names of any number of people in various parts of the State who would give you detailed information in reference to the disturbances and events which took place at the time of our election, and I can give you the letters that I have received.

CONDITION OF AFFAIRS IN HINDS COUNTY.

Q. (By the CHAIRMAN.) Perhaps, as to the names, you had better prepare a list. You can produce a list of such names as you have?—A. Yes, sir; of course I can myself give only hearsay evidence, except as to what occurred in the immediate vicinity. In Hinds County I know that the canvass was substantially abandoned; that men did not deem it safe to go out and canvass. The feeling was very bitter and very strong. Of course it was purely political.

Q. In Hinds County were any persons injured or maltreated in any

way?—A. The Clinton riot occurred in Hinds County. Clinton is ten miles west of Jackson.

Q. Did you visit Clinton during or after the riot?—A. I did not.

Q. Did you have official letters or reports from any person in reference to that riot?—A. I had official communications from the sheriff of the county.

Q. (By Mr. BAYARD.) What is his name?—A. W. H. Harney. There were, I think, two white men killed and three or four colored men on the day of the riot; and subsequently there was one white man, to my knowledge, killed; and there were quite a number of negroes killed during the two or three days following.

Q. (By the CHAIRMAN.) As between the political parties, how many were killed on each side?—A. I think there were two or three white men, democrats, killed. All the rest were republicans. It is estimated variously as to the number of negroes killed. Some put it as high as twenty-five or thirty. I think there can be no question but there were as many as eight or ten negroes killed; but the reports at first were very unreliable, and there might not have been so many.

I saw a number of negroes who came in with their wounds. Their houses were visited at night, and for a week or two it was reported that large numbers of negroes abandoned their houses and slept in the swamps, in the woods, and in the cotton-fields for quite a period of time.

I know the city of Jackson was almost literally filled with negroes, who had abandoned their work on the plantations and fled there for safety. We found it was difficult to feed them, they were so numerous.

PASSES TO NEGROES BY DEMOCRATIC COMMITTEE.

My attention was subsequently called to certain passes, or safeguards, that had been given to some of these negroes who had come to the city, by the chairman of the State democratic committee, and with these passes they returned to their homes. They left the city at least; I do not know that they returned to their homes.

Q. Were these passes given to them after they arrived at Jackson in order to let them go home?—A. Yes, sir. Neither the sheriff, nor the peace-officers of the county, nor the executive officers of the State were able to give any protection at all.

Q. Do you know whether these passes were a protection?—A. I do not know personally.

Q. Do you know how they were regarded by the negroes?—A. They were regarded as very full protections.

Q. (By Mr. MCMILLAN.) Who were they given by?—A. The chairman of the State democratic committee, Mr. George. I saw some of the passes, but I cannot remember their phraseology. I saw, probably, two or three passes, and it was reported that others were given. This was in September; the cotton was just out, and the labor of the hands was necessary in the cotton-fields. There was such a reign of terror existing at the time that the negroes had abandoned the plantations, and the planters who had advanced money on the crop could not well afford to let all the hands abandon their crops, which would go to destruction. I know from hearsay that they made very strenuous efforts to have those colored men who had abandoned the plantations come back to work. I was informed that, so far as it could be done, these means were resorted to, of furnishing passes or giving the men this sort of security.

Q. (By the CHAIRMAN.) Have you any official information or trustworthy knowledge from other sources as to the number of persons wounded in the Clinton riot, or soon after?—A. No, sir. I have heard numerous

statements, and my conviction is that immediately after the event the number reported injured was generally exaggerated. So in this matter of the Clinton riot, I am prepared to take off two-thirds of the number first stated as killed, as I have already said; that is thirty.

Q. You are speaking now of the number killed as being thirty; I asked you in reference to the number wounded?—A. I do not know how many were wounded. I saw some myself. As a general thing, they kept quiet and out of sight. There was a very great feeling of intimidation, really of terror, existing, and these poor negroes were disposed to avoid all places where they might be observed; but many did come into town, and a great many made their reports.

REPORTED INTIMIDATIONS IN REPUBLICAN COUNTIES.

At the time of the election it was reported to me that in nearly every large republican county of the State there were intimidation and violence; and in some instances a use of and a parade of armed men, and the firing of guns was resorted to for the purpose of intimidating the republican voters; and the means used were completely successful. As to the details of these events, I can give you the names of the officers of the various counties, and of the people who were present at the time.

In some counties since the election, or on the night of the election, republicans were driven away, and have not dared to return, or did not dare to return for about a month. That was the case in one county, particularly.

Q. What county was that?—A. Amite County, in the southern part of the State, bordering on Louisiana. Then in such counties as Kemper and Monroe, and other counties, there was no election held substantially. One of the sheriffs had held office in Kemper County for the last twenty-five years, more or less, and had been a very popular man. He was a republican, however, and the sheriff, and he had to abandon all attempts to keep the peace and hold an election.

Q. (By Mr. BAYARD.) What was his name?—A. W. W. Chisholm.

SECOND DAY.

WASHINGTON, *March* 28, 1876.

Continuation of the examination of ADELBERT AMES:

By the CHAIRMAN:

Q. Have you any further statement to make in reference to intimidation in the canvass or at the election?—A. I should like to read a part of my annual message to the legislature, so far as it refers to this election, to show the condition of the State, and what my official action was. And then I would like to comment on certain parts of the message.

Q. Very well; proceed in your own way.—A. This message bears date January 4—the day the legislature met—and is addressed to the senate and house of representatives.

[Witness reads a portion of his message, as follows:]

GOVERNOR AMES'S MESSAGE.

STATE OF MISSISSIPPI, EXECUTIVE OFFICE,
Jackson, January 4, 1876.

To the Senate and House of Representatives:

In the discharge of a duty, incumbent upon me, of giving you information concerning the condition and interests of the government and State, and the condition of the

people, I call your attention to the late State election, and the events incident thereto, as a subject whose magnitude and importance demands the wisest and calmest consideration.

On the fourth day of September last a political meeting at Clinton, Hinds County, was interfered with and dispersed by violence, which resulted in the death of a number of persons, and which was followed, subsequently, by the pursuit and shooting of others, by armed men riding through the country. Impelled, through fear of violence, men abandoned their homes and fled by hundreds to this city for safety.

The fifth and following days of September found this city crowded with panic-stricken fugitives, unconscious of offense, imploring such assistance as would enable them to return to their homes, and shield them in the peaceful pursuit of their labors.

While a city full of refugees was one illustration of the violence and the success of lawlessness, another was to be found in the fact that a sheriff's *posse*, which was sent to Clinton from this point, was headed by a flag of truce.

At this juncture business was suspended, and disquiet or terror existed in the minds of all. The authority of the county was paralyzed. The sheriff reported his utter helplessness to give the needed protection. It then became the duty of the State government to furnish him the means to overcome and suppress the lawless bands, which, for some purpose other than the punishment of criminals, had established so lamentable a condition of affairs.

The spirit which precipitated the Clinton outrage by no means had its origin then and there. Previous to that day, the sheriffs of the adjacent counties had been compelled by force—or what is substantially the same, after encountering much lawless violence, which no power at their command could control—to make their escape beyond the borders of their counties, leaving them without the chief peace-officer which the law has made so indispensable. Nor was violence, or the fear of it, confined to two or three counties. Appeals for protection and aid came from all directions.

The State was without a militia or constabulary force. Although previous political disturbances had occurred, of a magnitude too great for local or State authorities to cope with, the sentiment against a militia, or other armed force, was so powerful and so general as to prevent its successful organization. This hostile sentiment to maintaining peace and affording protection by force, was chiefly due to a dread of a conflict of races. While one part of the people were thus discountenancing the militia in the interest of peace, another part was converting the State into a broad military encampment, which called forth a proclamation, bearing date of the 7th September, 1875, commanding, though ineffectually, their disbandment. The evil day anticipated, when the State should need force and be without it, had arrived.

Under such a combination of circumstances, which could exist only in a State where the inhabitants are of two distinct races, with strong race prejudices and antagonisms, I was constrained to call upon the National Government for assistance to protect against domestic violence. This call was unsuccessful. It was followed by a succession of demonstrations by the armed part of the people toward the unarmed, causing a feeling of insecurity and danger, which continued until and after the day of the election.

A renewed effort to organize a military force developed the deep-seated bitterness of the race-issue, and the extent of the intimidation which prevailed.

While appeals for aid and protection came from all sides, and often from sheriffs, it was held by them that such forces as might be organized under State laws could not be serviceable. On the contrary, the conviction prevailed that they would only precipitate the conflict it was sought to avoid.

The seizure of State arms on their way to the capital, the liability of seizure in sending them away from the capital, and the necessity of storing the few arms on hand at the United States camp for safe-keeping, were additional causes which embarrassed and prevented the organization of the militia. Consequently, only a few companies could be organized, and those (with one exception) but in one county—this, the seat of government. Many who took arms, did so to obtain the means of self-defense; few were accustomed to their use, and instruction and discipline were quite impracticable.

The fund for militia purposes, appropriated by the late legislature, was sixty thousand dollars, but with the condition that fifty-five thousand dollars should be used only in case the militia should be called into active service. An early injunction from the courts prevented the expenditure of any part of the latter sum. The remaining five thousand dollars were soon expended, and there were no means to transport beyond the borders of this county, the recruiting-ground and depot, the few undisciplined companies formed within it.

Preparations had been made to protect the sheriff of Yazoo County in his return to his county, he having previously been driven away. Deeming the means inadequate, he declined to make the attempt. He has not been able to return to this day.

Because of the attempt to organize and use the militia to protect citizens in the exercise of their rights and privileges, as bestowed upon them by the Constitution and the laws, a class of people rebelled against it. To avoid threatened deeds of resistance and violence to State authority, as well as toward county officials and individuals, and

the possible consequences, a committee of prominent citizens, powerful in controlling one of the political organizations of the State, gave their pledges that they would "do all in their power to preserve peace and good order, and secure a fair election." As to their power "to preserve peace and good order, and secure a fair election," I did not entertain a doubt.

This novel and humiliating spectacle, in the government of a free people, was presented: Regularly-organized legal authority unable to preserve peace and good order, and secure a fair election, the leaders of a political organization assume to do it, with the accredited power, to accomplish all they might attempt.

The deeds of violence already alluded to, and many similar ones of greater or less magnitude, in various parts of the State, had the effect to intimidate many voters. The extent of such intimidation may be judged by the following facts:

In various counties the meeting together and consulting of voters before election, an important proceeding in a government like ours, had to be wholly or partially abandoned.

In one county not only was there no preliminary canvass, but the danger was regarded so great that no convention was held to nominate candidates for offices.

In certain counties tickets could not be freely and safely distributed, and in one county not at all.

From one county prominent candidates for office fled before election, fearing violence, if not assassination.

In another county one party, through fear of the evil consequences if they refused, struck from their tickets names of candidates formally and regularly nominated, and substituted those of their opponents, with whom there existed no political affinity.

In certain counties, on the day of election, voters were driven from the polls by armed men, or so intimidated by them that they feared to vote.

In one county the principal county officials were driven away from their posts on the day following the election, and have been refugees since. This county, Amite, was the one remote from the seat of government, where the effort to organize the militia succeeded.

These are effects, not detailed statements of causes which produced them.

The courts of the State have been unable to dispense justice in such cases.

The conviction that frauds were perpetrated at the late election gathers strength by comparison of the returns with those of the preceding elections.

That the great evil which has befallen the State may be remedied, it first becomes necessary to inquire into its causes. The happy financial condition of the State, and the comparatively small amount needed for its support, preclude the possibility of a financial cause. Intimidation was not proportioned to counties in accordance with their indebtedness. Thorough intimidation was effected in some counties whose finances were in the most flourishing condition.

The character of the events which have transpired compel the conclusion that the evil is to be attributed to a race question. It did not have its origin at this time.

The inhabitants of the State are somewhat equally divided between the two races. They have, until recent years, borne the relation of master and slave. By a power external to the State, the slave has been made the civil and political equal of the master. The withdrawal of this restraining force leaves the formerly dominant race to re-assert its supremacy. Though the complete supremacy of former days may not be possible, still the tendency is toward supremacy. The effort in this direction has heretofore and elsewhere resulted, as in this election, in violence, loss of life, and intimidation. How far this effort has resulted in the virtual disfranchisement of the one race, and revolutionized the State government, is a question worthy the most patient and careful inquiry.

Unless every class of citizens be thoroughly protected in the exercise of all their rights and privileges, our Government proves unequal to its pretensions. The nation, recognizing the race-antagonisms, has anticipated them in the interest of liberty and equality by modifications of the fundamental law of the land, and I recommend, as both right and expedient, action in harmony with such modifications.

The action of the legislature in regard to that part of the message was a pretended effort to investigate the election. The resolution was, I think, introduced in both branches of the legislature; and, although the democrats had a two-thirds majority in both branches, they allowed that resolution to slumber, and it was never heard of. Instead of investigating this election, where I maintained that a republican form of government was destroyed, they investigated my action; and my action politically, too. I have stated here the condition of the State financially, which was such that the events of the election could not have been based upon that.

Q. Suppose you give us the result in the aggregate.—A. [Reading

from message.] "The real debt of the State, that is, its outstanding obligations beyond its ability to pay at once with its current and available funds"—including the taxes for the year 1875, which had not been collected—was about half a million. You understand that our taxes do not begin to come in until October. The cotton-crop is planted in the spring, and is not completely gathered until the beginning of the following year, and no considerable portion of the taxes are paid until the crop is sent to market, and the last year's taxes had not been paid.

[Reading from message.] The common and Chickasaw school-funds—debts upon which the interest only is to be paid, the principal never becoming due, (obligations incurred many years since,) amount to $1,530,620.

The expenses of the State government during the past year amounted to $618,259.18. That would be about 70 cents per inhabitant. The tax of the State of New York is $16 per inhabitant; and of the city of New York, $36 per inhabitant.

[Reading from message.] The amount paid to the two universities of the State, to normal schools, and interest on Chickasaw school-fund, was $136,896.37.

FINANCE AND TAXATION.

I have drawn a comparison between the financial condition of that year and that of the previous year. The indebtedness of the State—$500,000—would be about sixty cents per inhabitant. All the expenses of government per inhabitant would be one dollar, which would make one dollar and sixty cents per inhabitant as the tax of any one year, in running the State government and paying its present indebtedness. During the past two years, or during my administration, the indebtedness of the State has been reduced some $300,000. These figures that I present were taken from the reports of the auditor of public accounts, and of the treasurer. To show you how the condition of the State financially has improved, the expenses of administration of the State government in the year 1873 were $953,000; in 1874, $908,000; and in 1875, $618,000. It is, perhaps, well in your investigation to state that the opposition papers—the democratic papers—have charged the State treasurer and auditor with misstatements in reference to the facts as put forth in my message. But, upon a review of their statements, the auditor and treasurer reported their conclusions to be correct. There were certain expenses that had been incurred—certain sums that had been accruing from one year to another, that appeared in 1875, which should not have appeared, as they did not really belong to that year, but that investigation there will very clearly show that the statement as given by me was substantially correct.

THE CHARGE OF PLUNDERING.

The usual complaint in the South has been that the States have been plundered; but this shows, and the facts show, that the financial condition of the State of Mississippi is flourishing; and I refer to this to prove that the financial question was not one which entered seriously into our canvass. The greatest plundering that has been perpetrated in the State since I have been there has been in democratic counties and by democratic officials. They outnumber the defalcations and plundering in republican counties ten to one. The official condition of the republican counties, from one end of the State to the other, is far better than that of the democratic counties. I am willing to admit that men are very much alike in all parties; and it is possible that since the whole glare of light that can be produced always turns upon the republican officials, they might have been more particular.

Whenever any irregularities have occurred in republican counties, they have been made prominent; but when anything has occurred of

that sort in democratic counties, it has not been reported, has not become prominent, and not generally known.

If you will permit me, I will touch upon six or seven points that I have referred to in general terms in my message. I say:

PRELIMINARY MEETINGS ABANDONED.

[Reading from message] In various counties the meeting together and consulting of voters before election, an important proceeding in a government like ours, had to be wholly or partially abandoned.

Q. If you recollect any instances, please give us the names of the counties to which you refer.—A. Holmes County, for one; Yazoo County, for another; Monroe County was another; Claiborne County was another, wholly or partially. That was substantially true of Tallahatchie, of Marshall, of De Soto, of Rankin, and of all the large republican counties. In those I speak of, particularly, they had only one or two meetings early in the canvass, and then had to abandon them entirely. Take Warren County, for instance, where there are 3,500 republican majority; in their preliminary movements for a canvass they attempted at first to meet around quietly and select their prominent men and send them to some point remote from Vicksburgh, for fear of interference.

[Reading from message.] In one county not only was there no preliminary canvass, but the danger was regarded so great that no convention was held to nominate candidates for offices.

That was in Yazoo County. I would say here, as I have already stated, that that is my annual message. It has been before a legislature two-thirds democratic in both houses, and they have not taken the first step to ascertain whether I have made any misrepresentations or not. I have been exceedingly guarded in this communication, as a matter of course. When I say "single step," I mean not a single complete step. They introduced a resolution in both houses, and there let it slumber; and it slumbered for some ninety days—was never called up at all.

NO DISTRIBUTION OF TICKETS.

[Reads from message.] In certain counties, tickets could not be freely and safely distributed, and in one county not at all.

Q. What county was that?—A. Yazoo County. A complete reign of terror existed in that county and in Holmes County. Men who had tickets were pursued and captured, and one man I know—his name I do not recollect—who was believed to have had tickets, was taken forcibly from his house and carried to a town on the railroad, and forbidden, upon pain of death, to leave. I can give his name when I submit the names of the other witnesses. And these facts are notorious—all the world can tell it.

[Reading from message.] From one county prominent candidates for office fled before election, fearing violence, if not assassination.

That was in Holmes County. A man by the name of Warren, who was formerly speaker of the house of representatives since reconstruction, and who was the candidate for the legislature, and, I think, the candidate for the clerk of the county circuit court, and also the candidate for sheriff, I think, fled by night from Holmes County into the adjacent county, and remained absent and hid until after the day of election. I refer to this to show the danger of distributing tickets. In order to get tickets, they had to send down to New Orleans to have them printed; and when they were brought up the railroad was guarded, there were men on the train ready to capture the men with the tickets, and it was

with the greatest difficulty that they escaped. And even then the tickets could be but partially distributed through the county. What is true of that county can be shown to be equally true of other counties. As I say, I have been exceedingly cautious in my statements of facts in this message, knowing that it would be subjected, if examined at all, to the most careful scrutiny.

WHY COMPROMISE TICKETS WERE ADOPTED.

[Reading from message.] In another county one party, through fear of the evil consequences if they refused, struck from their tickets names of candidates formally and regularly nominated, and substituted those of their opponents with whom there existed no political affinity.

Q. What county was that?—A. That was the county of Madison. The prominent men of Madison County, the sheriff of the county, some of the clerks, and nearly all the prominent republicans, came to my office. These men struck off republican names and put on democratic names; and the representative of the republican party—that is, the chairman of the State central committee—reported what was being done, and these republican leaders in Madison County were requested to come down and have a consultation, and they all came into my office. They then and there, in my presence and in the presence of others, stated that while they had no fear of personal harm, while they were not prepared to say that they feared assassination themselves, they did fear that unless they did make a change, a great number of lives would be lost, and assassination would be resorted to and intimidation, and of course the result would be to destroy the entire election in the county, unless they would agree; and they did agree, for the sake of peace and harmony, to put on two democrats out of the three candidates for the lower house of the legislature. The men that they put on had no affiliation with the republican party, and were not propelled by the same motives—differed from the republicans in their political sentiments as widely as political parties can differ in any section of the country.

Q. Was that ticket elected?—A. The combined ticket was elected.

Q. Two democrats and one republican?—A. Yes, sir.

INTIMIDATION AT THE POLLS.

[Reading from message.] In certain counties on the day of election voters were driven from the polls by armed men, or so intimidated by them that they feared to vote.

The case of the sheriff of Monroe County was a prominent instance of that sort.

Q. (By Mr. BAYARD.) What is his name?—A. Captain Lee, a most excellent gentleman; he was a very good confederate soldier; his crime was in being a republican. He reported to me by letter and orally that large numbers of men came over from Alabama. He will give you a pitiful story of the condition of affairs there. The opposition had a cannon which they directed upon a large number of men around the courthouse, who came there prepared to vote; and men on horseback came in, and men on foot, all armed.

Q. (By the CHAIRMAN.) When did this take place?—A. On the morning of the election. He stated to me that in his attempt to canvass the county he believed he escaped assassination a number of times; that it became almost impossible to conduct a canvass—that is, all meetings were interfered with by men who went there particularly for that purpose; and on the day of the election, though he was notoriously a brave man, and no one man had dared to attack him, he, as sheriff, was compelled to secrets himself in the jailer's house for

the first part of the day. He said that he was seated by the window, hidden behind a curtain, and he saw these men and this cavalry come in well armed, and heard their shouts; and he saw the artillery that was trailed upon the one thousand or more republican voters who were assembled there. The result was that the republican voters were driven away.

In Monroe County—I refer to the State election returns by counties, and I presume they are right, as they have never been questioned—in the election in 1873 there were 2,000 republican votes against 1,037 democratic votes; but on that election frauds were committed to the extent of some thousand votes—reported at that time and believed. That was one of two counties at that election where frauds were perpetrated. In 1875, in Monroe County, the returns show only 1,500 republican votes and 2,600 democratic. The republican voters were driven away from the polls in large numbers. The county was generally estimated to have 1,500 republican majority. I cite that as one instance. Then I referred yesterday to the election in Kemper County.

Q. Before you leave Monroe County, has any statement been made to you of any cause for a change of political opinion in that county?—A. No, sir. The events during the election, I said yesterday—of course I could not know personally, as I could be in but one place—but I knew of the events just as well as people in the North who were not in the armies or in the border States during the war knew there was a war. At least, I knew what transpired as well as a general knows what is transpiring in his army, while he knows personally only that which he sees immediately before him. Of course, I knew all that was transpiring, and perhaps better than any other person in the whole State, because most of my communications were confidential. What did transpire was predicted at the outset. The papers made this question: that this is a white man's government, and should be ruled by white men. It was a race issue that was made, and the result of it was simply to drive the races apart, as a matter of course. There was every possible reason in every county in the State why the republican voters should hold together better than they had ever done before, because it was, as I say, simply a question of race. It is true that a very large majority of the republican party was composed of colored men, and the issue could not be mistaken, that they were voting for their civil and political rights.

YAZOO COUNTY.

Yazoo County is down in the swamps on the Yazoo River, by the Yazoo and the Mississippi Rivers, not considered a healthy locality by the whites; and, in the days of slavery, slaves were carried into these bottoms, and of course they greatly outnumbered the whites. In the previous elections the republican majority in that county was usually about 2,000. I find here that in the election of 1873 the republican vote was 2,427, and the democratic vote 411, giving the republicans a majority of 2,000. I see in 1875 the democratic vote was 4,044, and the republican vote 7. These seven votes, I understand, were cast in a spirit of bravado by some democrats, who declared that it should not be said that there were no republican votes cast. But you see a difference in the voting. In 1873 there were 2,838 votes cast, while in 1875 there were 4,051 votes. In that county there was no protection to republicans, and they abstained from voting. The sheriff of that county did not dare to return. He was the one I referred to here in speaking of my militia, who deemed the means to protect him in returning inade-

quate. He declined to return to the county. I had offered to furnish him some militia to protect him, and the evidence is very clear since then that had the militia undertaken it they would have been annihilated. In such a county as that the republicans would not go to the polls, and did not vote.

Q. How do you account for these 4,000 democratic votes?—A. The republican voters abstained from voting, and it could only have been by fraud. It could not possibly have been in any other way. In 1873 the whole vote polled was about 3,000. There were two republicans running for governor. Senator Alcorn was one of the candidates and I the other. He had run on the republican side four years previously, and had been opposed by the democratic party. On this occasion he was voted for by the democrats. So that there was no feeling of any kind, it was simply a choice of evils with them, and some little doubt as to which would be the preferable man at that time. There was no occasion for any disturbance at that time, and there were no disturbance.

Q. (By Mr. McDONALD.) You say that it was a choice of evils. Was it not a fact that a very large number of the democrats did not vote at that election?—A. It is possible. They could not have the same zeal for Senator Alcorn they would have for one of their own men.

The election of 1873 was greatly influenced by the fact that it was uncertain whether there would be an election at all till two or three days before the election.

MEN DRIVEN FROM THE POLLS.

I was speaking of the counties where the men were driven away from the polls. That was true in Monroe County. It was equally true in Kemper County. I speak of these counties where there will be no controversy on the part of anybody. But you can go to the majority of the republican counties, and you will find that the republican voters were driven away by intimidation, which was resorted to to produce this effect. In Kemper County, the sheriff, Mr. Chisholm, had been an officer ever since he was twenty-one years old, and I think he must be a man of forty-five or fifty now, always a very popular man, and officially his standing was excellent. There was no complaint against him at all, except that he was a republican.

Q. (By the CHAIRMAN.) Was he there before the war?—A. He always lived there. He was one of the few men who have had the courage to come before the grand jury of the United States court and report the condition of affairs in that county. He was threatened with assassination, and I think I have his written statement of the facts. He said that there was no complaint except that it was really a race issue, and democrats said to him that this is a white man's country, and white men are going to rule it. That was the charge that was made against him and his party; that the negroes were not qualified to vote, and they should not vote. He complained bitterly that men with whom he had always lived and had had all kinds of relations with, (socially he stands very high,) should consent that a body of men should come from Alabama to assassinate him if he made any attempt to keep the peace on the day of the election.

The result was he abandoned all attempts to keep the peace and the election went by default. I don't know what the returns are. I see that in Kemper County in 1873 the vote was 1,229 republican and 781 democratic, making a difference of 448 republican majority. In 1875 there were 418 republican votes and 1,339 democratic votes, making a

difference of 921 votes on the other side. He will testify to your committee, as he has testified already, that it was through intimidation and violence that no election was held there.

OFFICIALS DRIVEN AWAY.

[Reading from message.] In one county, the principal county, officials were driven away from their posts on the day following the election, and have been refugees since. This county, Amite, was the one remote from the seat of government where the effort to organize the militia succeeded.

I stated that in organizing the militia for the purpose of keeping the peace, I organized it only at the seat of the State government, Hinds County, and in one other county. This county borders on Louisiana in the southwest. The militia organized at the seat of government, (in order that there should be no complaint that it was partisian,) was partly white and partly colored. I think I organized five companies of colored troops in that county and some four companies of whites. At first the whites would not muster, the papers pronounced against it; but subsequently when I commenced organizing some two or three colored companies, when it was ascertained that I would proceed, the white companies did muster; and the first company organized was really a white company. I had stated that it was impossible to organize a white militia that was reliable. In reply to that I received statements from various parts of the State that there were certain companies in certain localities—white companies—that were willing to put themselves at my command for the purpose of keeping the peace. I may say, however, that I had no confidence in those companies. When I attempted to send Mr. Morgan back to Yazoo County, from which he had been expelled as sheriff some two months previously, I proposed to give him both white and black companies as escort; and I have since learned, and I believe it to be true, that these white companies had an understanding that they would turn upon the colored companies and prevent their proceeding from the railroad depot into the county. Be that as it may, the only company that I did organize, outside of Hinds County, was the company in Amite County. I appointed in command of it a gentleman there whose father was a prominent lawyer and a leading man in that section of the State. Of course neither the father nor the son were republicans. The son was disposed to have a fair election—that was the extent of his politics at the time—and I sent him some arms to organize a company, and he went into that county to keep the peace.

Q. (By Mr. BAYARD.) What was his name?—A. Hurst. His father is a leading lawyer in that section of the State, and has always lived there, and of course the son had always been there. He organized the militia, but did not attempt to organize it on a political basis—took no colored men nor republicans; he organized a company of his friends and neighbors, and they agreed to keep the peace. They were given the State arms. At the time of the election Mr. Hurst was compelled to abandon his company and fly for safety to the county-seat. They told him they had no quarrel with him, but there were some men from Louisiana for whom they could not be responsible, and advised him to leave. So he abandoned the company and his duty and went back to the county-seat; he was a very brave man, too.

Q. (By the CHAIRMAN.) Did he make any report in writing?—A. I think he made a report in writing.

Then the next day all the republican officers of the county were compelled to leave the county, and they did not return, I think, for three or four months; I do not know how long.

In 1873 the vote in the county was 1,080 republican and 407 democratic. In 1875 it was, as returned, 1,095 republican and 1,189 democratic. It is a very large increase in the democratic vote. It is asserted that frauds were committed, and that that county was in a state of outlawry for some time.

STATE COURTS UNABLE TO DISPENSE JUSTICE.

I say further in my message:

The courts of the State have been unable to dispense justice in such cases.

I would suggest that you look into the action of the grand jury for Hinds County, where the Clinton riot occurred. A great many of the people privately declared that they would not go before any jury or court and swear away their lives, as they feared they would do if they reported the facts that had transpired. I have had numerous communications from people who have come to complain of the events. I know in Claiborne County, for instance, that men were driven away, and while men came to me and related these facts, they refused afterward to make an affidavit or written statement of them, simply because they feared assassination.

AID FROM STATE MILITIA IMPOSSIBLE.

I know that quite a number of people have left these localities or abandoned politics entirely, simply because they deemed it unsafe. Captain Lee, of Monroe County, the county I spoke of where the sheriff had to secrete himself in the jailer's house, where the cannon was trained, I think, upon republican voters at the court-house, which caused them to flee, came to see me two or three times and wanted to get arms, but he admitted that it would be impossible to ship arms by rail, and almost impossible to organize any militia there. Yet he did take some ammunition, but in order to get it to its destination he had to put it up in such a form as to deceive the people as to the contents of the package. I give that as an illustration, to show how utterly impossible it was for me to organize militia outside of Hinds County. For instance, at first I had my arms in the state-house—the few I had; I do not think there were 300—and a guard had to be put upon them. One night a number of men assembled at the state house and threatened to take them; and I afterward had to send them to the United States camp, in order to keep them secure from capture. Arms were sent to the State capitol from the river counties. They were landed on the wharf-boat at Vicksburgh, and 60 or 75 men went down and took them away—captured them.

Q. Were any of these men known?—A. The keeper of the wharf-boat, Duff Green, a very prominent man in that section, in order to protect himself, wrote me a letter, saying that these arms had been received on the boat, and that a body of men came down and took them away. I think it would be very hard to ascertain who these men were. I do not think any amount of examination would point out these men. On another occasion, I attempted to ship some arms to De Soto County, and such a demonstration was made upon the depot, and as the railroad refused to receive them except in an ordinary freight-car, I had to abandon the attempt. So that it was absolutely and utterly impossible for me to organize a reliable militia outside of Hinds County, and, as I have stated, I had but $5,000 to do it with, and about $1,500 of that had previously been expended for taking care of the arms and paying a clerk or two—that is, during the previous eight months of the year.

ARMS BROUGHT INTO THE STATE BY PRIVATE PERSONS.

It was reported to me, and I believe it to be true, that a large num-

ber of arms were brought into all parts of the State, and I so assert in my message.

Q. Brought in by private persons, or persons not in official position?—A. Yes, sir; Mr. Richardson, of Jackson, organized a company called, I think, "The Richardson Guards;" he sent for and bought arms for the whole company—probably 75 or 100 men—and they paraded and drilled regularly.

Q. Do you know upon what pretext—what reason was given?—A. The reason was—in some extreme democratic papers they did not hesitate to say that it was a white man's government, and that they proposed to carry the election. I do not pretend to quote them; but the idea was that force should be used. It is a fact, I think, beyond dispute that since reconstruction began the white men of the South have felt that the negro was not their political equal, and that he has been imposed upon them; that he was not qualified to vote in any sense, and that any means resorted to to prevent him from voting would be justifiable. We believe that violence had been resorted to in times known as the Ku-klux times; and the means had been changed from time to time as events had transpired. It was believed that at the elections in Louisiana last fall more open violence had been perpetrated than had ever before been attempted; and the canvass was evidently conducted upon that plan.

Q. (By Mr. BAYARD.) That is Louisiana you are now speaking of?—A. Yes, sir; and Alabama, too. General George made a very significant remark to me. Although my intercourse with him was very slight, it is, perhaps, due to him that I should make this statement.

"THE BLACK CLOUD."

Q. When was this?—A. Two or three weeks before the election. We were speaking of the elections, and I was remarking upon the fact that a very large majority were republicans. It is a fact that since Alabama and Georgia have gone democratic, a large number of republicans—negroes, if you please—have come to Mississippi, believing that they would escape a great many injuries and dangers that they were suffering in those States. While he, personally, as head of the democratic State committee, was not exactly intending to justify their action, he did speak, however, of this "black cloud" that was coming into the State from the east, speaking of the States of Alabama and Georgia, and I think that feeling was rather general in the State of Mississippi among the democratic politicians, that unless the State was recovered from republican rule it would become a receptacle of the colored men generally in the South, and that they would resort to that State as a home. I think the whites believed that substantially. It was with that feeling, more or less, I have no doubt, in addition to the feeling that the negro was not a political equal, that impelled them to a decisive course. As I state in my message, I regard the whole affair as a race-issue. The newspapers made it such, and the orators made it such.

EXECUTIVE MANSION FIRED INTO.

Q. (By the CHAIRMAN.) Did you, at any time, receive threats or intimations of bodily harm to yourself?—A. As I stated yesterday, no attempt has ever been made to intimidate me personally. Of course no person ever came to me and said that if I did thus and so, certain consequences would follow; but the mansion where I live was fired into.

Q. (By Mr. BAYARD.) At what time?—A. Just previous to the election.

Q. (By the CHAIRMAN.) During the day or at night?—A. This was

at night. I may say, however, that I did not, at that time, consider myself in any personal danger; I did not think that they could well afford to assassinate me. I thought it would be too great a political blunder, so I really had no feeling of that kind, but since then I have been informed that the thing was seriously considered. People were seen firing into my mansion, and the trees were cut. There was a bullet hole or two in various parts of the mansion. The papers, of course, did not hesitate to say that I was responsible for the Clinton riot, although I was not there; but I believe my name was published as one of the orators, yet I did not know what was transpiring at the time. The papers said that I ought to have been killed or assassinated rather than the poor negroes, which, perhaps, was more desirable. Firing into the mansion showed the disposition, perhaps. The feeling was very bitter.

WHITE REPUBLICAN VOTERS.

Q. (By the CHAIRMAN.) Do you know what proportion of the white people of Mississippi are republican voters?—A. A small proportion.

Q. What should you estimate it to be?—A. It would be a very small proportion. As a general thing the republican vote is concentrated in the bottom-counties and in the prairie-counties. In the bottom-counties it is very swampy; the lands are cultivated generally near the river rather than far back; the colored men predominate very largely. In some of those river-counties there are but few hundreds of white voters. In some of the counties up and down the center of the State a fair portion of white people are republicans; and there are other parts of the State where there are no republicans among the whites.

BLACK DEMOCRATIC VOTERS.

Q. Of the colored people, what proportion are democrats?—A. A very small number. As a general thing it is only where a negro has been working with the same men for a very long space of time—a relation found to exist chiefly in the villages—that he votes as his employer desires. But the proportion is so small that it is hardly to be stated.

The fact is that ever since reconstruction, or ever since the war, the question as to the negro's right to vote—as to his citizenship—has been presented all the time. Immediately after the war there was a black code, so called, passed, really intended to reduce the negro, or to approximate his condition as near as possible to that before the war. He was not permitted to hire lands, and if he was not employed after the working-season set in he could be let out to the lowest bidder. He was not permitted to testify where white men were parties to a suit. These are well-known facts. The question of his right to a place on juries, his right to travel on railroads, and other things relating solely to his citizenship, have been fought step by step by the democratic party of the State. And the simple question has been, whether the negro has a right to be a citizen. It has had the effect to drive the negroes together, and it is very true that the politicians have made legitimate uses of such a state of affairs.

Q. You spoke yesterday of passes having been granted to negroes who came into Jackson to enable them to return to their homes. Do you know whether or not passes have been granted to negroes at any other time or for any other purpose?—A. I do not.

Q. Is there anything more that you desire to state of a general nature that occurs to you?—A. I do not know that there is.

RESIDENCE AND RECORD OF WITNESS.

By Mr. BAYARD:

Q. When did you first go to Mississippi?—A. I went there in 1867.

Q. In the Army, I believe?—A. Yes, sir.

Q. When were you elected Senator?—A. In 1870.

Q. Had you any intention to settle in Mississippi prior to your election?—A. I will say, not long previous to that—and permit me to say that I found, when I was military governor there, that there was a black code existing, and that the negroes had no rights whatever; that they were not permitted to exercise any of the rights of citizenship. I had given them the protection they were entitled to under the Government of the United States, and I believed that I could render them great service. I felt that I had a mission to perform in their interest, and I hesitatingly consented to represent them, and unite my fortune with theirs.

Q. You speak now in reference to the colored people of that State?—A. Yes, sir; in reference to the colored people of that State—they were in the majority.

Q. You speak of the black code; by whom was that enacted?—A. By the legislature of 1865-'67.

Q. Did you regard that as law?—A. The colored people were living under it.

Q. Did you regard it, when you were there as military governor, as law?—A. I regarded it as law, except so far as it could be suspended by the action of Congress.

Q. Your power as military governor gave you supremacy there, did it not?—A. Yes, sir.

Q. Did you permit that code to stand in your way at all in what you thought was an infringement of any rights of the colored people?—A. I did not, so far as I thought I was authorized to interfere—to modify these laws.

Q. Those modifications were at your own discretion?—A. Substantially so; that is, there were certain things prohibited.

Q. Then you were in Mississippi on military duty at the time you were chosen Senator?—A. Yes, sir.

Q. Holding your position in the United States Army?—A. Yes, sir.

Q. I believe it is a fact that you certified yourself into the Senate?—A. No, sir; I believe I was voted it.

Q. I meant to speak merely of your certificate. You signed your own certificate?—A. The certificate was signed by the secretary of state.

Q. The election at which you were elected to the Senate—was that under your authority, under your control?—A. I was military governor at the time.

Q. Had you not the power of removal or appointment of any officer in the State at that time?—A. Congress had passed a law that only those who could take a certain oath should be permitted to hold office, which resulted in the vacation of a large number of offices.

Q. You were the person who carried that law into effect?—A. Yes, sir.

Q. Could you or could you not appoint or remove any registrar of election or other election officers at that time?—A. Yes, sir.

Q. And did you not exercise that power?—A. Yes, sir; I did.

Q. At your discretion or pleasure you removed or appointed those officers?—A. Yes, sir; I had the power.

Q. How long, as a fact, before your election to the Senate had you made up your mind to become a citizen of Mississippi?—A. Well, I cannot say positively; I would simply state that the question whether I would consent to become a candidate was mooted some little time

previous to the meeting of the legislature. There were certain political combinations there which led a portion of the people of the State to believe that certain of the prominent men in the party were not men who should be relied upon—were not a very reliable class of men.

Q. Do you mean by that, republicans?—A. Yes, sir.

Q. You were acting with that party and considered it your party at that time?—A. Yes, sir; I was a republican.

Q. In affiliation with that party at that time?—A. Yes, sir.

Q. If you had not been elected to the Senate at that time, General, would you have become then a citizen of Mississippi?—A. I believe I stated before the Senate Judiciary Committee, and that it is a matter of record, and was stated, I think, in Mr. Edmunds's speech before the Senate, that it was questionable if I would have become a citizen.

Q. And you make the same statement now?—A. Yes, sir; I repeat it—the same thing.

Q. After your election to the Senate you attended to your duties here regularly as Senator?—A. Yes, sir.

Q. How long were you Senator?—A. About four years.

Q. How much of that time were you in the State of Mississippi?—A. I do not know. I cannot tell you. I cannot make any accurate reply to that inquiry. Is it a question of citizenship or residence?

Q. No; just let me ask you my own question. You may take your own way to answer it, but do not mistake the object of my inquiry, which I wish to make plain. It is a mere question of fact.—A. My native State, where I was born, was the State of Maine, but I have never been to it since I was a boy. I have passed as much of my time in Mississippi as anywhere else, so far as I know. The most of my time while I was Senator, I think, was passed in that State—that is, when I was not in the Senate. That is my impression.

Q. When out of the city of Washington, most of your time, you say, was passed in the State of Mississippi?—A. Yes, sir.

Q. Did you acquire property there?—A. Yes, sir.

Q. Real estate?—A. Yes, sir.

Q. When was that?—A. Three or four years ago.

Q. Where was that?—A. I have some at Natchez and I have some in another place. I own more property than probably nine-tenths of the inhabitants of the State, and have for some time. We have no property qualification there.

Q. I am only asking in regard to your identification with the people of the State, and holding property among them.—A. You understand that so far as the white people—the democracy—are concerned, there is no identification. When they would ostracize a favorite general like Longstreet, you may very well understand that a Union soldier would not be very likely to have any very close intimacy with them, being of an opposite political party.

Q. If you will pardon me, I have not suggested the question of party. I am speaking in regard to your identification with the people of the State.—A. If you will allow me to say, the majority of the people of the State, as I understand the people, has been very thoroughly and warmly my supporters and friends.

Q. Do you refer now to the people of both races?—A. I refer to the majority of the people of the State. When you speak of people you refer to both races, I suppose?

Q. Yes, sir; the entire community.—A. I refer to the majority of the people as having been my warmest supporters.

Q. State, if you please, the relative proportion of the two races in

Mississippi.—A. The census of 1870 showed about 70,000 majority of colored people. The number has been very largely increased since then by immigration from the States of Georgia and Alabama.

Q. Can you give any estimate of the increase?—A. The commissioner of immigration has estimated that they have come in from 5,000 to 10,000 or 15,000 a year.

Q. How many years past has that been going on?—A. Some three or four. They have put it very much higher; some have put it as high as 5,000 or 10,000 voters. They have come in in very large numbers.

Q. You resigned your office of governor, did you not?—A. I did.

Q. How much of your term of office had expired?—A. One-half; that is, two years and three months had expired.

Q. Have you left the State of Mississippi?—A. I am temporarily absent now. What my future may be I do not know, or what I am going to do.

Q. Have you left the State with the intention of returning there?—A. I shall return. Whether I shall live there or not I do not know.

Q. I mean to say, now at this time is it your intention—have you a fixed intention of becoming a resident of the State of Mississippi?—A. I reply that I am absolutely uncertain what my movements are to be. I am altogether dependent upon circumstances. I can freely say that as a general thing republicans residing there have found it utterly impossible to live there of late and exercise their rights as citizens.

Q. Is this remark made by you with a view of affecting your own action?—A. No; I give it as, of course, the condition of affairs there at this time. There is a general feeling among republicans that it is very difficult to live there at this time and exercise their rights. Of course I feel that as well as any one else.

Q. Of course it is very proper for you to make your answer in your own way; but this remark of yours was made in response to a question of mine, as to whether you had a fixed intention of making Mississippi your future residence?—A. Yes, sir; and I say that what my life will be, or where I may live in the future, I do not know at this time.

Q. If you will excuse me from seeming to attempt to desire to talk about your private affairs, which is furthest from my wish—but because you have been in some respect a public man in Mississippi, it is proper for me to make inquiry of you as a public official: have you not proposed to settle in another State, or have you any scheme of that kind?—A. No, sir; that is, when I say that, the question of how I can get money by which to live is the one question with me.

Q. I beg you will not suppose that I wish to make any inquisition into your private affairs, but I have understood that you were intending to remove, I believe, to the State of Minnesota, or some such statement as that has been made. As it is a question affecting the interests of a State, I think it right that I should ask you whether you propose to become a citizen of Minnesota?—A. I have some interest in Minnesota, and have had heretofore. I have been there from time to time. My own immediate family live there, and they have always been anxious that I should go there. While it is possible I may go, I have not made any arrangements for this thing.

Q. Then am I right in understanding you that your return to Mississippi, as a residence, is not certain?—A. I do not know but I should reply in the affirmative. I have got to have some means of making money, and I shall probably go where I can do so. I may go anywhere where I think that I might be able to make a living. I really feel as much unsettled as any man possibly could, so far as that goes.

THIRD DAY.

WASHINGTON, D. C., *April* 29, 1876.

Continuation of the examination of ADELBERT AMES.

THE QUESTION OF RESIDENCE.

The WITNESS. I wish to say, as of course the purpose of these questions has a political bearing, more or less, that all my adult life has been passed in Mississippi since I left the Army. Immediately after the war I was in Europe for a year, and I then and there made up my mind that I would leave the Army upon my return to the United States. I left my native State of Maine in 1856, when I was a boy, and I had never returned to it, except when I returned from school, and all my adult life, I repeat, has been passed in the State of Mississippi after I left school; and with that feeling I located or took up my residence in Mississippi with the same purpose and determination that any citizen of the United States changes his residence.

By Mr. BAYARD:

Q. How do you mean "located in Mississippi;" were you not in the military service of the United States?—A. I was not when I left the Army.

Q. You did not leave the Army until you had been elected to the Senate?—A. I did not.

Q. How soon after you were elected to the Senate did you resign your commission?—A. I think immediately.

Q. It was subsequent to your election?—A. Subsequent to it.

Q. You held on to your position in the Army until you got your position as Senator?—A. Those are the facts.

Q. Have you removed your family from Mississippi?—A. They are now in Massachusetts. I have spent every summer in the North with my family. A family misfortune caused an earlier removal this year than was anticipated. I follow the practice of almost every person and family in the South who can afford to do it—live more or less in a colder climate in the hot weather.

Q. Did you ever spend a summer in the South since you have been governor of Mississippi?—A. Substantially, though there has not been a year when I have not been North.

Q. What was your usual absence during the summer?—A. About a month and a half or two months. Last year I was absent a month and a half.

Q. That was your total absence from Mississippi during last year?—A. Yes, sir; it may have exceeded that time, but not much.

Q. Yesterday you stated that you were induced to become a candidate for political office in Mississippi in the performance of what you believed to be a mission toward the colored people of that State, because you found the political party with which you were affiliated controlled by unreliable men.—A. Before the question of residence is passed over I would like to make a single remark on that subject. I cannot well assume what your motive is, but of course it has a political bearing, and I desire to say that that question of residence has had nothing whatever to do with the troubles in the State of Mississippi.

I wish to say also that in 1869 the democracy of that State sent to this city and got the brother-in-law of the President, Judge Dent, and took

him there and ran him as a candidate for governor against Mr. Alcorn. It is a notorious fact that in that party—and I don't hesitate to say that I imagine I have been approached from time to time by the opposition with most flattering offers held forth that, should I change my coat and become a tool of others, I might receive any honor that I might demand. Certainly that was the case with Judge Dent; and in the State of Mississippi that question of carpet-bagism or brevity of residence has not played a very important part.

Q. Will you state the names of any leading members of the opposition who have made this proposition to you?—A. Not unless it is essentially necessary.

Q. You have stated the fact, and I merely ask you to give you an opportunity to state them if you choose.—A. I say, with reference to that, that any proposition of that kind would not be made in writing, but in a way that the person whose name I might give might evade it, or give another interpretation of it. But, as I stated originally, I imagine I have been approached, and I have no question, in my own mind, on that point.

Q. Can you give the name of any person of the opposition party to you in politics in Mississippi, who made such offers to you as you have described?—A. I think I can; but I prefer not to do so unless the committee require it.

Q. Do you know their names or the names of any one or more?—A. The events referred to occurred a number of years since. I think I would be able to name the persons, or certainly ascertain their names without any difficulty.

Q. From whom would you ascertain them?—A. The charge was publicly made in a republican paper, called the "Leader," in 1870 or 1871, and I think never denied by the opposition press.

Q. Were the parties' names, who made you the offer, in that paper?—A. I do not remember.

"UNRELIABLE" LEADERSHIP AMONG REPUBLICANS.

Q. Returning to my former question—you found there were unreliable persons in the leadership of the republican party of Mississippi when you went there as military governor?—A. That refers to the time of the election.

Q. It was that which induced you, believing, as you stated, that you had a mission to perform to these colored people, to be willing to be elected to office?—A. Yes, sir.

Q. Will you state who these persons were?—A. "Unreliability" I applied to the character of their politics. I did not refer to their moral character; I simply referred to the character of their republicanism. I am perfectly willing to give some of their names if there is any desire to have them; I have no objection.

Q. The impression you made upon me—what it was upon the rest of the committee I know not—was that you were induced to go into politics in Mississippi and hold office from the people of that State in order to rescue your party and the colored people from bad leadership. That was the impression that I derived from your statement. Desiring you to be apprised of my apprehension, I ask you now, whether that was your intention or not?—A. Their "unreliability" politically; not moral unreliability.

Q. Please explain what you mean by political unreliability.—A. That I had no confidence in their republicanism; not that I believed that the men were corrupt or dishonest. I did not believe in the republicanism

of certain leaders of the party, some of whom were very prominent. Of course I speak of the leaders originally.

Q. Are these men in the republican party still?—A. Yes, sir.

Q. Would you mind stating their names?—A. I have no objection, though I do not care to criticise these men. It is enough to say that a gentleman who occupies a seat in the United States Senate now is one of the chief of the men in whose republicanism I did not then believe.

Q. Do you refer to Mr. Alcorn?—A. I do.

Q. Who were the others?—A. He was the chief among them, and there were some of his friends and supporters. It is that class of men, representing the ideas that they represented.

Q. What had they done that caused your distrust of their party fidelity?—A. Well, their whole course since reconstruction; a want of confidence as to their utterances rather than their acts—they were not in office at that time; the sentiments that they expressed. For the same reason that we give or withhold our confidence from a man whose opinions are well known to us.

Q. Who was then governor of the State?—A. At that time there was no civil governor of the State.

Q. You were the military governor?—A. Yes, sir.

REPUBLICAN OPPOSITION TO GOVERNOR AMES'S ADMINISTRATION.

Q. As a matter of fact, General Ames, has there, or has there not, been a difference of opinion in regard to your administration within the ranks of the republican party of Mississippi?—A. There has.

Q. Has there not been a very strong opposition to you within the ranks of your own party?—A. There has been a violent opposition, in my judgment confined to very few men, and those men, permit me to say, were my most ardent supporters until they failed to get certain offices that they expected.

Q. Who were the leaders of the opposition to you?—A. Senator Alcorn has always headed the opposition.

Q. Who else?—A. The opposition of individuals appeared from time to time. Senator Alcorn, I think, has, from the start, been opposed to me; the feeling was reciprocal, I have no doubt. That was in 1870. In 1873 I was a candidate for the governorship, and I received almost two hundred votes in the nominating convention, where my opponent had about forty. My opponent was the then governor of the State—Governor Powers; and he and his friends have been my opponents since.

Q. Is he a republican?—A. Yes, sir.

Q. He and his friends?—A. He and his personal friends. I can name those gentlemen if you desire.

Q. First, I want the men who are the leaders of the opposition to you within the republican ranks.—A. There is an ex Congressman by the name of McKee who was an opponent. A year ago an ex-member of your body—Senator Pease—became an opponent of mine.

Q. Do you know the attorney-general, Mr. Morris?—A. I know the ex-attorney-general, Mr. Morris.

Q. Well, sir, was he opposed to you?—A. He never was a political friend of mine.

Q. He was the attorney-general of the State?—A. Yes, sir.

Q. Then I ask you whether there was not a very large number of opponents to you and to your policy and to your administration within the republican party of Mississippi?—A. I reply: no, positively. Mr. Morris was my most abject flatterer and supporter until he failed to be renominated for his position as attorney-general. It was only after

that that he turned upon me. He made a canvass as a supporter of mine; and the history of nearly every one of them is of that character. His reputation was very bad; we had no confidence in him.

Q. In what way?—A. He used his office for corrupt purposes, it was reported and believed.

Q. Was it pretty well established?—A. I think the body of the republican party believed it. I believe that the opposition did.

Q. When did his term of office expire?—A. On the 1st of January, 1874.

Q. Do you know Mr. Musgrove there?—A. I do. He was one of my most earnest supporters. He conducted a paper and indorsed me very thoroughly, and was opposed to Governor Powers for the nomination. Before the election he was one of the most earnest supporters I had, until he failed to get a renomination as auditor, the office which he held at that time. His only excuse then for coming out against me and my administration was that there were certain men on my ticket who were not good men; and since then he has allied himself most closely with these very men whom he at that time denounced, and who furnished him an excuse for opposing me.

Q. As a matter of fact, have not these men whose names have been referred to, openly and vigorously denounced your administration during the last year?—A. They have, and for the reasons I have given you. They were friendly to me until after they failed to receive offices at my hands, which they believed I could give them.

Q. But as a fact they did denounce you?—A. They did.

Q. And they became your political antagonists?—A. Yes, sir.

Q. Do you know Judge Storrs, of Holly Springs?—A. I do.

Q. Is he one of those who opposed your administration?—A. He has opposed it; he opposed me simply because, as governor, believing him to be thoroughly corrupt, I would not re-appoint him as chancellor. I had an affidavit that he attempted to bribe certain men in a nominating convention; and the papers were so strong that, intending to appoint only honest men to office, I could not possibly appoint that man to office; and of course he became my opponent when I refused to re-appoint him.

Q. Was he originially appointed to office by you?—A. Governor Alcorn appointed him to the chancellorship.

Q. Did you re-appoint him?—A. I could not, because of the affidavits that were made as to his character.

Q. Were there other leading men in the State of Mississippi belonging to the republican party opposed to you?—A. As I have said, from time to time, certain men who expected offices from me, or through me, but did not get them, became my opponents, and the hostility of each man can be attributed, as I think, to that fact.

Q. Well, without going into the fact of the cause of their opposition to you, was there or was there not in Mississippi, in the year 1875, a violent and a vigorous opposition to you and your administration in that State in the ranks of the republican party?—A. I say violent, but not powerful, not numerous. In my judgment they were a mere handful, and of that class of men I have named.

Q. Did not Mr. Pease, the ex-Senator, denounce your administration?—A. He did.

Q. Did he do it publicly?—A. He did.

Q. Did not Mr. Alcorn, the present Senator, denounce your administration constantly?—A. He did.

Q. Have they not constantly charged you in public with an effort to

array the races, one against the other?—A. I am not aware that Mr. Pease ever did. Senator Alcorn has always made that charge. I do not think Mr. Pease ever made that charge; at least, it never attracted my attention.

Q. Are you aware of Mr. Pease's publication in regard to your administration?—A. I never read it, but I know that he did make such charges.

Q. Did you ever read the statement of Senator Pease's views of Mississippi politics, published in the New York Tribune of October 12, 1875, and published in the National Republican—the Washington administration organ?—A. I did not read it; I saw detached portions of it.

Q. I read from the New York Tribune of October 12, 1875:

STATEMENT OF EX-SENATOR PEASE.

[From the National Republican, (Washington,) administration organ, October 11.]

The presence in Washington of the Hon. H. R. Pease, recently a Senator in Congress from the State of Mississippi, and now postmaster at Vicksburgh, afforded the National Republican an opportunity yesterday to interview him upon the complicated and interesting subject of Mississippi politics. * * *

Mr. PEASE. I regret to say that in several localities in the State of Mississippi a deplorable condition of affairs exists. Indeed, among the people throughout the State there is a most lamentable want of confidence in the State government. The colored people distrust the power of the State under Governor Ames, and the whites generally question his disposition to administer government so as to afford protection of life and property and maintain domestic tranquillity, for which governments are instituted. As to his motives, I do not undertake to explain; but the fact is he has, unfortunately, pursued a policy calculated to create distrust, and he has caused the white population, who represent the intelligence and wealth of the State, the two essential elements upon which the maintenance of good government depends, to believe that he has been, and is now, attempting to create an open antagonism between the races, and to plunge the State into a condition of revolution and domestic violence such as will necessitate martial law, and thereby advance his personal political schemes. * * * I was going to say that, notwithstanding the excitement incident to partisan strife and the race-prejudices, which have been wrought up by the extremists on both sides, the majority of the people, regardless of race or political affiliations, deprecate violence and are ready to assist the properly constituted authorities in preserving peace. I have no war to make on Governor Ames personally. He is deader now than Hector, but he hopes, by the means he is pursuing, to secure a legislature that will send him to the United States Senate. The election takes place next January. To reach the Senate was his ulterior purpose in becoming governor. All his appointments are made on the condition that his appointees shall support him for the Senate.

The preservation of the republican party in Mississippi depends upon an honest administration of the laws of the State, and it will go under unless the remedy for all our troubles is within political integrity, exact justice, and honest dealing. Federal intervention is not needed or wanted. The use of force would do more harm than good. Nine-tenths of the white population are opposed to him. They want good men to come into office to work a reform in existing abuses. * * * He is cultivating the Irish. He is appointing Irishmen to office wherever he can. He has given one Fitzgerald *carte blanche* to raise an Irish regiment. This Fitzgerald is the man who telegraphed to the White League commander at Vicksburgh that he was ready on call with one hundred men to exterminate niggers. He was never a republican, and never voted the ticket in his life.

What do the colored people say about all this? They are, of course, very much excited. Recently, a noted leader among them, Elder Johnson, published an appeal to them to pursue a conservative policy. Like him, there are many other colored people in the State of talent and discretion. Many, though, are operating under the advice of Frederick Douglass, to strike back. The interview the National Republican had with him and published has done a great deal of mischief in the South. The colored people are naturally docile, not given to disturbance, and are easily governed; but now they are exceedingly suspicious, and they lack confidence in a man who mentions democratic principles. They are not recognized. If they were like the Italian or Spaniard, violence would ensue, and they would soon dispose of their enemies. Fifteen thousand white voters, at least, have been driven out of the republican party in Mississippi by Ames's course.

Q. I read that to you in order to illustrate that which I have asked you in regard to your knowledge of the existence of opposition to yourself, and that you may see from that article that there is a very strong opposition to you and your course—your administration—in the ranks of your own party in the State.

DENIAL OF SENATOR PEASE'S CHARGES.

A. That is simply an extract from an interview with a correspondent of the National Republican. There are stars following the preliminary remarks. I speak of that as an extract, because Mr. Pease stated a number of falsehoods in that which he has retracted. He has retracted his statement in reference to Fitzgerald, and has apologized to Fitzgerald, who, by the way, was a very good Confederate captain, and a very brave soldier. To be sure, his parents were Irish; but this same man that Mr. Pease misrepresented, Mr. Pease apologized to the other day, and wrote a letter to him, a copy of which I have, that there was no truth in the statement about Mr. Fitzgerald, and that he stated that simply in order to injure General Ames; that General Ames was trying to injure him, as he believed, with the President, and he made this statement to injure General Ames. So that, as far as that is concerned, Mr. Pease stated a falsehood, and he knew it to be a falsehood, apparently. I say, on the strength of his letter, that he knew he was stating that which was not true.

Q. Where is that letter?—A. When you go to Jackson you will find Mr. Fitzgerald there, and he will give you the original. I have copies of it, and will furnish them to you with great satisfaction, if you desire. The republican paper there published this letter. You will find it in the Pilot of about a month and a half ago.

He says in this newspaper article which you have read:

> To reach the Senate was his ulterior purpose in becoming governor; all his appointments are made on the condition that his appointees shall support him for the Senate.

That is utterly and absolutely false; and if Mr. Pease was possessed of ordinary intelligence he would have known it.

He said that I was trying to create a race-antagonism, and he says in the same letter that I was cultivating the Irish, which is totally at variance with his first assertion, that I was endeavoring to create a race-antagonism. Of course, that is the same statement that any renegade from any party will make about the party; it matters not whether it is a republican or a democratic party.

Q. Was this man postmaster then?—A. Yes, sir.

Q. When was he appointed?—A. When he was in the Senate.

Q. When he was in the Senate?—A. Yes, sir.

Q. But his term had expired?—A. Yes, sir; he did not hold the office of postmaster, but the nomination was sent in, I think, before he resigned from the Senate. It was almost instantaneous with his leaving the Senate.

The CHAIRMAN. My recollection is that his nomination was sent in after he left the Senate.

Q. (By Mr. BAYARD.) How long did he hold the position of postmaster?—A. He has it still.

Q. Did you endeavor to have him removed from that position?—A. I did.

THE TURBULENCE AT FRIAR'S POINT.

Q. Among the instances of turbulence that you refer to—"riot," I think, was the word you used—did you include the Friar's Point war?—

A. I did not refer to it. It is a matter that ought to be investigated. It somewhat preceded in point of time these other events to which I referred.

Q. Did that occur in the fall of 1875, in October?—A. It was about the time of the nomination of the candidates.

Q. It was pending the canvass in 1875?—A. Yes, sir.

Q. (By the CHAIRMAN.) Was that previous to the Clinton riot?—A. I think it was; I don't know the date.

Q. (By Mr. BAYARD.) It was, I think, in October.—A. Then it may have been subsequent to the Clinton riot. It grew out of the nomination for candidates for county and State officers.

Q. Was the riot a riot between the democratic and republican parties?—A. It was a riot in which the poor negroes were killed by the score, it is reported; and in which the colored men appeared alone on one side, and in which the democracy, with barely one or two republicans, appeared on the other side.

Q. That is your statement of that conflict?—A. That is my statement and understanding of that conflict.

Q. Who were the leaders of the two sides?—A. The sheriff of the county was one.

Q. What was his name?—A. John Brown, a colored man.

Q. A Mississippi man?—A. I do not know his private history. I do not know whether he was a Mississippi man or not. There was one, General Chalmers, a democrat, and, if I mistake not, a lawyer by the name of Reed.

Q. Are you giving them now all on one side?—A. I have said that Brown led the republicans; now I am speaking of the democratic side.

Q. Who composed the republicans there; were they wholly negroes?—A. In the main. If you will let me take another step: I say that the republicans, mainly colored men, headed by the sheriff, John Brown, were on one side; and, I think, a democrat, named Chalmers, and another by the name of Reed, were on the other side, and that they were associated with Senator Alcorn.

Q. Do I understand you to state to the committee that that riot at Friar's Point, in October last, was the result of a party division between the republicans and the democrats—was it a party warfare?—A. If you will permit me to state the case, I will do so. As reported by Sheriff Brown, and other men who came to me, it is believed that that conflict and those murders were due to the action of Senator Alcorn. The democracy of that locality were allied to him and supporting him.

Q. Allied to whom?—A. Alcorn—following him. As reported to me by the sheriff, it was Senator Alcorn who originated that trouble, and who gave it countenance and head.

Q. Why would Senator Alcorn do that?—A. I can only state to you my understanding of the case. When he ran for governor two years ago, this man John Brown ran for sheriff, and carried the county almost unanimously against Alcorn. Coahoma County, in 1873, went 1,295 for the republicans, only 5 less than 1,300, and went 294 for the democrats, less than 300. That is, I received about 1,300 votes there, and Alcorn about 300. It is reported to me that he said that he was going to carry his own county for himself, and that my friends and supporters should not carry the county; and it is reported to me by Mr. Brown and others that Mr. Alcorn went into the town for the purpose of preventing the nominations that were to take place, or to prevent the meeting. That you may understand it, let me say that Mr. Alcorn's own son was associated with Mr. Brown as sheriff, and supported Mr. Brown in that affair.

Q. Without fatiguing you and the committee with giving the details of all the reasons that led to this collision, but to come at the fact, I ask you whether this riot and bloodshed grew out of the political struggles of the two parties, or whether it was not from other causes; and, I may say, one of the causes alleged was the maladministration of his office by this Sheriff Brown.—A. It is true that certain charges had been brought against Brown. Nothing, I understand, has ever been sustained against Mr. Brown in the administration of his office. In fact, since he has been sheriff the office has been conducted by Mr. Alcorn's own son.

Q. In answer to that I will refer you to an account published by Senator Alcorn in the same paper that I read from before—The New York Tribune—over his own signature, dated Friar's Point, Mississippi, October 11, 1875, in which he gives to the editor of the Tribune the history of the facts of the troubles at Friar's Point. That account is as follows:

SENATOR ALCORN'S ACCOUNT OF THE FRIAR'S POINT TURBULENCE.

To the Editor of the Tribune:

SIR: You ask me to give the facts touching the troubles at Friar's Point. I will do so as briefly as I can. We have for sheriff a colored man from Oberlin, Ohio, elected two years ago on the Ames ticket. His bond was made by Ames, who, a year ago, surrendered him on the plea that he had appropriated to his own use nearly $5,000 of the revenues belonging to the State, and had demanded the co-operation of the treasurer of the county, a white republican, in a fraud upon the county treasurer for nearly $6,000 more. A number of wealthy planters, all conservatives, all of whom had opposed his election, ignorant of the facts touching his default, became his bondsmen, in the hope, as they said, that he might be controlled in the interests of peace. The State senator from this district, elected four years ago, was a colored man from Ohio, named Bol's. Two years ago, and while holding the office of senator, he was appointed receiver of public money. A year afterward he defaulted with a large sum and ran away.

Smith, another Ohio negro, was sent from Jackson to this district to run for a senatorial vacancy, and was elected, and now holds the office. At the close of the last session of the legislature, Smith was appointed receiver of public money. Subsequently, he was appointed our county superintendent of education, at $900 a year. All these offices he now holds. Two months ago Sheriff Brown made known to the negroes that Smith must be elected to both of the offices of circuit and chancery clerk. This was not satisfactory to the negroes. It alarmed the tax-payers. Among the powers of chancery clerk are those of approving official bonds and keeping the records of the board of supervisors, the taxing-power of the county. These offices would make the ring for the plunder of the county complete in Brown and Smith. The negroes of the county, urged by the tax-payers, made stubborn resistance to Brown's programme to control them.

* * * * * * *

2. There is the statement of Mr. Alcorn in relation to this very difficulty which, as you say, requires investigation, showing, if we are to take his statement of the occurrence, very gross corruptions in office, which, as there was no correction apparently in the power of the State, was met by what you might call "mob law."

CRITICISM OF SENATOR ALCORN'S STATEMENT.

A. They had the correction in the courts. In what I have said in reference to Mr. Alcorn particularly, I wish to be understood that it was reported to me that Alcorn did thus and so. Of course I do not wish to say positively that Alcorn did do thus and so—it was on the authority of Brown and others. In the first place, the statement there made by Mr. Alcorn that I made Brown's bond in the first instance, I wish to say is a gross mistake. I never went on anybody's bond. I never had anything to do with any bond in the State. The remedy for all these things was through the courts. I know that Alcorn's son is an earnest and zealous supporter of Brown. Brown has reported to me that there were twenty-five or thirty colored men killed; and that although

he was sheriff of the county he was compelled to flee, and has not been able to return, or was unable during the rest of his term to discharge his duties.

Q. Do you know as a fact whether Mr. Alcorn was himself under arms to prevent his return?—A. If I am not mistaken, Mr. Brown reported that Alcorn was there with a double-barrel shot-gun in his hand, prepared to fire upon him; and I say that remark of Alcorn's in the paper you have read, indicates the degree of lawlessness that was there. Although these two men, Brown and Alcorn's son, were officers of the county, they were not applied to for redress; and they said that if certain men do attempt to return we cannot be responsible for the consequences; which means that, in all probability, they would be shot down or assassinated if they did return. I can only give, in reference to this matter, the general idea of the events that came to me, which is entirely different and contrary to the statement made by Senator Alcorn; and I can only suggest, in view of what has occurred there, that it would be well to investigate that matter very thoroughly, and ascertain whether Mr. Alcorn was justified in pursuing the course he did—resorting to violence instead of to the law. He has written this letter since, to justify himself for his acts before the country.

Q. What was his object in resorting to violence?—A. As I understand it, it was to prevent the colored people coming in and making their nominations or holding meetings.

Q. Then did you mean that Mr. Alcorn is opposed to the colored people?—A. You can probably draw your own conclusion.

Q. No, I ask you to state the fact, if it is a fact, because it is a public fact in Mississippi.—A. Will you repeat your question?

Q. Do you mean that Mr. Alcorn is opposed to the colored people?—A. I did not say that.

Q. Why did you say that he wished to prevent them from making nominations?—A. It was reported to me by Mr. Brown, that believing the nominations of Brown and his friends, if made, would result in their election, he endeavored to prevent those nominations.

Q. Was Alcorn's opposition then to the meeting of that convention on the ground that it would result in opposition to his wishes?—A. It was so reported to me.

Q. Did or did not Alcorn generally rely upon the negro vote of that State in his political plans—did he not seek it?—A. The event referred to occurred in 1875. In 1873 he ran for governor and received only the votes of the white men of the State.

Q. The question I asked of you was, whether he sought and wished to obtain the votes of the negroes?—A. I am unable to say that. I can give you as matter of history that he received the white votes of the people of the State.

Q. I am not asking you that question. I am asking you as to your knowledge and belief whether General Alcorn sought the support of the negro voters of the State?—A. I presume he sought them as any candidate would seek them.

Q. Was not General Alcorn notoriously an applicant for negro votes as well as for all the other votes he could get?—A. I presume that was the case.

Q. Have you any knowledge that General Alcorn ever prevented negroes from voting, or of his seeking to prevent them?—A. I have no personal knowledge of his doing so.

SOURCES OF KNOWLEDGE OF VIOLENCE OR INTIMIDATION.

Q. You have referred to various acts of violence and intimidation; have you personal knowledge of any of those acts?—A. I never saw an act of violence performed.

Q. Did you ever see an act of intimidation performed?—A. No, I never saw an act of violence performed.

Q. Then what you have said is derived from the information of other people?—A. Yes, sir.

Q. On the day of election where were you?—A. I was in Jackson.

Q. (By Mr. McMillan.) Were the reports which you received official reports?—A. I received all kinds of reports, official and otherwise; but they all came to me as the governor of the State. The people there—certainly the republicans—are more dependent upon their officials than they are in other States, say the Northern States, and all these communications came to me as governor of the State.

Q. (By Mr. Bayard.) You have been asked by Mr. McMillan whether they were official reports. Please state what you mean by official reports.—A. An official report would be the report of the sheriff, as sheriff, to me as governor.

Q. Is it his official duty to make reports to you of these occurrences?—A. Sheriffs have reported to me. To illustrate: the sheriff of Hinds County made an official report to me that he could not keep the peace, and asked me to assist him.

Q. When was that made?—A. At the time of the Clinton riot.

Q. In what year?—A. Last year.

Q. In 1875?—A. Yes, sir.

Q. What was that sheriff's name?—A. Harney. That was a thoroughly official report. It was in writing. There were numerous official communications from sheriffs showing their inability to keep the peace, and signed by them as officers. As peace-officers of the county they wrote to me, as governor, for assistance; and those I call official reports.

Q. The other statements received were from individuals, not officers?—A. From individuals and officers, and addressed to me, as governor, appealing for assistance and protection. Of course, a person who is not an officer could not perform an official act.

Q. At the time of the election were you in Jackson?—A. Yes, sir.

Q. Did you go to the polls and vote?—A. No, sir; I did not.

Q. Were you a witness of that election?—A. In passing to and from my office I observed the people in the vicinity of one of the polls.

Q. I understood you to say that you have not, at any time since you have been in Mississippi, been a witness to any act of violence or intimidation to prevent the exercise of the political franchise?—A. That is going over considerable ground.

Q. Well, in 1875?—A. No, I saw nothing in 1875. I was not where I would be very likely to see anything of the kind.

Q. I am only asking a fact, generally, whether or not you did. I merely wish to know how far you speak of your own knowledge, and how far from information and understanding, of these various acts of intimidation and violence. You only know from information derived from other persons—is that so?—A. That is so.

JUDICIAL APPOINTMENTS.

Q. Who appointed the judges of the various courts in Mississippi under your present constitution?—A. Governor Alcorn.

Q. Were all those whom you found in office his appointees?—A. Yes, sir.

Q. Did you appoint none yourself?—A. I appointed the chancellors.

Q. How many of those?—A. I appointed about eighteen or nineteen. All but one or two.

Q. Were those all in office up to the time you resigned?—A. Yes, sir.

Q. What are the minor judiciary in that State?—A. The judiciary consists of the supreme court, then circuit judges and chancellors. The minor officials or judges are merely justices of the peace.

Q. Who appoints them?—A. They are elected by the people. The judges and chancellors are appointed by the governor.

THE JURY SYSTEM.

Q. What is your jury system there?—A. The electors are qualified to be jurors.

Q. Who are your jurors elected by?—A. The board of supervisors. The executive officers of a county consist of a board of supervisors. Each county has five supervisors, one in each of the five districts.

Q. How are they chosen?—A. They are elected by the people, and they select the names of the jurors.

Q. How is your sheriff chosen?—A. He is elected by the people.

Q. Has he anything to do with the selection of the jurors?—A. I think the names are drawn. In case of a special *venire* he makes up a list of names.

Q. But in the ordinary panel the jurors are selected by the supervisors?—A. Yes, sir.

Q. (By Mr. McMILLAN.) That is the whole panel of persons for jurors during the year?—A. Yes, sir.

Q. (By Mr. BAYARD.) The same remark will apply to your grand juries as well as to the petit juries.—A. Yes, sir.

Q. Do the supervisors and the sheriff and the justices of the peace correspond to the prevailing political sentiment of the county in which they live; they are all elective officers?—A. As a general thing, all the officers in the county are of the same political cast.

Q. Of the same political character?—A. Yes, sir.

Q. And that is, of course, dependent upon the majority?—A. Yes, sir.

WHERE VIOLENCE AND INTIMIDATION EXISTED.

Q. You have stated the violence and intimidation to have existed in the republican counties of the State?—A. Yes, sir.

Q. You have not referred to violence in any but republican counties?—A. No, sir.

Q. Such is the fact, is it not?—A. Yes, sir.

Q. Were not, then, all these justices of the peace, chancellors, the judiciary, and the machinery for choosing juries in the hands of the dominant party in those counties?—A. Yes, sir.

Q. I need not ask you if all the United States officers in that State were not members of the republican party; that was so, was it not?—A. Yes, sir.

Q. Then the grand juries and the petit juries, and the judges, and the sheriffs, and the supervisors, by whom the jurors were selected, were all controlled by the dominant party in those counties?—A. They were all belonging to the dominant party.

Q. Would you wish to state anything now in regard to the other counties of the State except these republican counties to which you have referred?—A. I have no desire to state anything except for the information of the committee. The violence was in the republican counties of the State.

Q. Have you named all the counties of the State in which you have information of the existence of these alleged acts of violence and intimidation?—A. I have not. I would have to name nearly all the republican counties in the State in order to do so.

Q. Well, it would be well, if you have any knowledge and are speaking of matters, to give the names of counties in which you have any knowledge at all.—A. It would be simply naming over some thirty or thirty-five counties, that is all.

Q. And do you allege that these occurrences were in each one of those counties?—A. More or less in all; the movement was very general.

STATE VOTE OF 1873 AND 1875.

Q. What was the relative vote of 1875 and 1873 in the State? What was the aggregate of the two years?—A. I am not certain. In 1873 it was 122,000 or 124,000. I think in 1875 it was much larger.

Q. A larger vote was polled in 1875 than in 1873 all over the State?—A. I think so. That is my impression.

Q. Did you attend at any time any political meetings in the State in 1875?—A. I did not.

COLORED PEOPLE AT DEMOCRATIC MEETINGS.

Q. Have you any knowledge of the attendance of large bodies of colored people at the conservative or democratic meetings?—A. [Pausing.] I hesitate, in order to run over in my mind the various counties. I do not recollect receiving any information of that kind. Doubtless I may have seen in the democratic press that conservative colored men were present at such places. That would be an item of news that would be commented upon.

Q. I ask you merely whether you know of that fact.—A. I have no knowledge of that fact.

Q. You were not aware of that fact?—A. No, sir.

CALL ON THE PRESIDENT FOR TROOPS—WHY MADE.

Q. You say that you called upon the President for troops in 1875?—A. Yes, sir.

Q. Was that before or after this Friar's Point trouble?—A. I cannot recollect. It was immediately in connection with the Clinton trouble.

Q. When was that?—A. That was early in September. I think probably the 4th, 5th, or 6th of September, if I mistake not.

Q. At that time you called for the troops?—A. I called for troops within the following seven days after the Clinton riot occurred. The riot was on Saturday, and I called for troops during the next week.

Q. Has your correspondence with the Department been published?—A. I think it was published at that time.

Q. Have you copies of it?—A. With my papers; not here.

Q. At the time you called upon the Executive of the United States for troops, had you failed through the regular officers of the law of your State to have process served in any case?—A. The sheriff of the county reported to me officially that he was absolutely unable to command the peace in that county. I knew that of my own personal knowledge. I know that the city of Jackson was full of terror-stricken fugitives from all parts of the county, and that there was no power, no law existing in that county for the preservation of peace.

Q. Let me repeat my question. Can you state to this committee any resistance of legal process prior to the time of your calling for troops?—A. By legal process you mean——

Q. The service of a writ of summons or of arrest.—A. The condition

of affairs was such at that time that I doubt if any attempt of that kind was made.

Q. Well, then, I will ask you, had the attempt been made to your knowledge?—A. I am unable to state that positively.

Q. Do you know of any case in the State where there has been forcible resistance to the civil process of the courts?—A. I cannot state.

Q. When you say you cannot state, do you know of any case?—A. I do not know of any case; but I do know that there was a state of riot and lawlessness existing of such a character that the sheriffs of the counties dared not attempt to do anything of the kind. They dared not even leave their houses to go out in the county to perform any kind of duty.

Q. I ask you, do you know the fact whether there was any resistance to process, when issued, in that State?—A. That statement I have made; I would say that I do not know of any facts of that kind.

Q. Do you know of any cases—and, if so, state the case—of resistance to the enforcement of the laws of the State?—A. I have cited numerous cases, as I understand it, where the sheriffs and peace-officers were resisted. By "resisted" I do not mean to say that it is necessary for a man to be knocked down; but the sheriffs were so far intimidated by the demonstrations of force that they abstained from discharging their duties. They regarded it as unsafe and unwise, and liable to lead to a sacrifice of life to make the attempt.

Q. Do you know of a case where process of the courts has been returned with that statement?—A. I do not.

CONTESTED SEATS AS RESULT OF ELECTION.

Q. As a result of the election of 1875, are you aware that any contest was made for a seat in the legislature by any man who was defeated?—A. I am aware of a contest—an attempted contest.

Q. There were contests?—A. You asked if I knew of any one. I say yes.

Q. State the case.—A. The case of Barrett, in Amite County, in the lower house. There was another contest in the senate.

Q. State that.—A. One between a republican, of the name of Sullivan, and a democrat, of the name of Chalmers.

Q. Were there other cases of contest growing out of the late election?—A. None to my knowledge.

Q. Do you know of any contest for the seat of any Representative in the Congress of the United States growing out of that election?—A. I only know by newspaper report that one was attempted or threatened.

Q. Threatened?—A. Yes, sir.

Q. Who threatened?—A. A Mr. Roderick Seal, the democratic candidate, against the sitting member, John R. Lynch. I say it was threatened in the press; what transpired here I know not.

Q. That is the only knowledge you have of any contest?—A. Yes, sir.

Q. Were the two contests in the Mississippi legislature republicans against democrats, or democrats against republicans?—A. One on each side—a democrat against a republican in one case, and a republican against a democrat in the other. In the senate the contest was of a democrat against a republican, and the contesting democrat was seated; but in the house, in the case of the republican contestant, the application was disregarded entirely—was not considered at all. And I do know that candidates for Congress, the republican candidates for Congress in all of the republi an districts but one, have asserted time

and again that they were defrauded out of their election, but that it would be folly to make a contest before a democratic House. That was the feeling there. I know that that same feeling existed in reference to the democratic house of the State legislature.

Q. These are within your own knowledge?—A. Within my own knowledge, and through my intercourse with the men who were defeated.

Q. Have you mentioned all the cases of contest that you know of growing out of that election?—A. I do not now recall any other contest. I do not think there was any other in the State legislature.

SWORN STATEMENTS OF VIOLENCE AND INTIMIDATION.

Q. Were any statements of those acts of violence and intimidation, of which you have spoken in your testimony, and of which you say you have no personal knowledge, conveyed to you by sworn statement?—A. They were conveyed to me——

Q. Well, answer the question.—A. I have sworn statements to that effect—to the effect that this violence did exist; but my impression is that the first information given was not sworn to. Subsequently sworn statements were made.

Q. Where are those statements?—A. Among my papers.

Q. Where are those papers?—A. They are with my trunk.

Q. Where is that?—A. Many of my things are in Bay Saint Louis. My chest of papers I left in New Orleans.

Q. Those papers were addressed to you officially as governor?—A. Yes, sir.

Q. You did not leave them in the governor's office when you resigned?—A. O, no, sir. There are a certain class of papers I did not leave in my office, and the papers of that kind are among them.

Q. They were official documents?—A. Yes, sir.

Q. Addressed to you as governor?—A. Yes, sir.

Q. Is it not customary to file them in the office of the executive of state?—A. Not in Mississippi. When I went in as governor, there was not a paper to be had that went back of the administration of my immediate predecessor—not one in the office; and those that were left by him, of all kinds, he attempted—he desired to remove.

Q. Who was that?—A. I speak of Governor Powers. I say that there is no document in that office, of a prior administration to his, of any kind.

Q. There had been a war and revolution immediately preceding that, had there not?—A. About ten years previous.

Q. But those papers that were sent to you thus officially were retained by you personally?—A. They were retained by me.

Q. And are now in your personal custody?—A. Are now in my personal custody.

UNITED STATES TROOPS IN MISSISSIPPI IN 1875.

Q. What United States troops were there in Mississippi during the election of 1875?—A. There were about 90 to 100 men at Vicksburg.

Q. Under whose command?—A. Do you mean the local officer?

Q. Who was the officer in command of the troops?—A. It was the commanding officer of the department; General Augur, probably

Q. Were the officers in the State of Mississippi under any one officer?—A. They were all under the command of the officer commanding the department, and that, I think, was General Augur, at New Orleans.

Q. Who was the local officer in command in Mississippi?—A. There was no one officer in general command in the State. There were three posts: one at Vicksburg, one at Jackson, and one at Holly Springs.

Q. Just state who were the officers in command of these three posts?—A. I do not know. I am not positive. My impression is that the officer in command at Vicksburg was Major Hunt; but I do not know that I am right. I never met him to know him; but that is my impression. At Jackson the troops were commanded by Major Allen. The troops at Holly Springs were sent there on account of the yellow fever on the Gulf—sent there for sanitary reasons. The commanding officer of the post there I did not know. I never had any intercourse or communication with him. Those were the only troops in the State.

Q. How many, then, in all, were in that State at that election in 1875?—A. I think there were 100 at Vicksburg and about 120 at Jackson, and probably there were 200 at Holly Springs. I simply judge from what I know to be the numerical strength of a company. There were, probably, not 500 troops in the State.

Q. Were you in communication with the War Department or the Attorney-General in regard to the presence or use of those troops?—A. I was, with both—or rather with the Attorney-General's Department, I think. I do not remember that I had any intercourse with the War Department, although I do remember now that some instructions from the President came through the War Department.

Q. About what fact?—A. I cannot now recollect the character of the communication. I am not positive that I am not associating or recalling events that occurred a year ago with reference to the Vicksburg riots. I rather think I am.

Q. The Vicksburg riot was caused by the deposition of Crosby, was it not?—A. Yes, sir.

Q. Who sent for troops?—A. The legislature of the State called for those troops; the President sent them.

Q. The legislature?—A. The legislature of the State, as provided in the Constitution of the United States.

Q. Sent for the troops?—A. Yes, sir.

Q. And for what purpose?—A. To maintain a republican form of government.

Q. Where?—A. In the State of Mississippi, Warren County.

Q. Did that trouble relate to the possession of the office of sheriff of that county?—A. It did.

Q. By whose immediate order were those troops sent there?—A. I do not know as I could say under whose immediate order. The President could order the Secretary of War, and the Secretary of War orders the commanding officer of the department.

Q. Who was that officer?—A. I think that it was General W. H. Emery. He sends a man to Vicksburg with two companies, who are separate and distinct, not attached to any other command, and subordinate to no one but General Emery.

Q. Do you know whether the person who was holding the office—I mean in possession of the office at that time—was ejected and Crosby put back by this military force?—A. A man by the name of Flanagan usurped the office, but without any election. He was ejected.

Q. He was ejected by the troops and Crosby put in?—A. Crosby put in, so far as a man was put in by ejecting a man who had taken possession of the realty of his office.

Q. Was or not Crosby placed in possession of his office by military power?—A. Flanagan was ejected and Crosby was installed; or, rather, he was protected in the discharge of his duties.

Q. And that was by military force?—A. Yes, sir.

Q. Had you any understanding with the Administration here in re-

gard to the use of those troops to keep the peace on the election in 1875?—A. My understanding of the situation last fall was simply this: that I applied for troops and failed to get them; that I could not possibly get them; that under no circumstances could I obtain those troops unless there was open, violent warfare.

Q. I speak now in regard to the troops that were there.—A. I had no control over them.

Q. Had you any communication with the officers in charge of them in regard to their duty in suppressing violence, or anything of that kind? A. None whatever. I was in daily intercourse with the officers, but I had no more control of them than you had at the time. In case of bloodshed in the city of Jackson, or wherever they were, they might have been used to keep the peace. But they could do nothing bearing upon the election, or anything of that kind.

Q. Was it understood that, in case of a riot on the day of the election, the troops then in the State would interfere to keep the peace?—A. They could be used to prevent bloodshed.

Q. Would they have been ready for that purpose?—A. They would.

Q. Have you any knowledge of any interference by them at all?—A. Not the least. It would depend upon what you mean by interference. After the Clinton riot Major Allen went with an orderly and two officers up to Clinton, ten miles off, to see what was transpiring there; but there was no interference by him. On the contrary, Major Allen loaned a cannon to the democracy, and I think he was very strongly their friend, as I understand. He did nothing that was objectionable to the opposition; that is, there was no interference to prevent them from doing anything they saw fit.

Q. Do you mean by that that he could have prevented intimidation or violence, which he failed to do, or failed to report?—A. He had no authority to act. He could not interfere to prevent violence.

Q. Then why did you state that he was in accord with one of the parties?—A. You asked if he interfered. I said that would depend upon what you might call interference. He went over to Clinton with an orderly and two or three officers, and while he did not interfere, perhaps his presence there might be so understood. He reported the killing of two or three colored men while he was there, but he did not interfere.

Q. (By Mr. BAYARD.) He did not go there for the purpose of interfering?—A. No, sir.

Q. (By Mr. MCMILLAN.) What was that which you stated in regard to Major Allen lending cannon?—A. I said that he let the democrats have a cannon in one of their parades, and also to carry into an adjacent county. He let the republicans also have a cannon to fire a salute. I simply mentioned that to show the relations he bore to the democracy.

Q. Was there any partiality about that?—A. No, sir; there was no partiality about that, so far as any criticism I have to offer. I did not know but you were indicating that he may have interfered with the efforts of the opposition in carrying the election, and these facts are given to show that there could not possibly have been any.

Q. My object has been, and I think you understand it, to make myself as clear to you as I can. My objects are only of a public character, and I endeavor to state them as clearly as I can. You have referred to this gentleman as being in accordance with one of the political parties.—A. No, I did not intend to say so.

Q. Then you may make your own statement about that.—A. I used the word "friendly." By that I did not mean that he was actively par-

ticipating, perhaps, on either side, or for either party, but that he was on terms of friendly relation with both; that was what I meant to say.

REPUBLICAN PAPERS IN MISSISSIPPI.

Q. How many republican papers are there in Mississippi?—A. There have been some 20 or 25. My impression is that there are not so many at the present time.

Q. Do you know how many there are now?—A. I cannot tell you how many there are now; I know there were some conducted for the canvass, and that only.

REPUBLICAN MEMBERS OF CONGRESS.

Q. How many republican members were elected to Congress from Mississippi in 1875?—A. Two.

By Mr. McDONALD:

Q. This tabular statement that you referred to yesterday in regard to the vote for the years 1873 and 1875, you admit to be correct, I believe?—A. I have not examined that of last year; that of 1875 I presume is correct. I think it is, as you say, substantially correct; I have no doubt that they are both substantially correct.

VOTE OF MISSISSIPPI IN 1873 AND 1875. A.—*The State election—returns by counties.*

Counties.	State treasurer, 1873.		State treasurer, 1875.		Congress, first district.		Congress, second district.		Congress, third district.		Congress, fourth district.		Congress, fifth district.		Congress, sixth district.	
	Holland, republican.	Vasser, democrat.	Buchanan, republican.	Hemingway, democrat.		Lamar, democrat.	Howe, republican.	Wells, independent.	Powers, republican.	Money, democrat.	Niles, republican.	Singleton, democrat.	Hill, republican.	Hooker, democrat.	Lynch, republican.	Seal, democrat.
Adams	2,066	361	2,616	793	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,626	792
Alcorn	397	1,423	1,593	1,806	.....	1,832	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Amite	1,080	407	1,095	1,189	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,094	1,183
Attala	1,130	1,249	1,210	1,840	.....	.....	.....	.....	.....	.....	1,225	1,855	.....	.....	.....	.....
Benton	503	923	293	1,047	.....	1,158	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bolivar	813	103	1,920	348	.....	.....	1,914	410	.....	.....	.....	.....	.....	.....	.....	.....
Calhoun	42	1,255	205	1,563	.....	1,749	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Carroll	1,082	946	1,262	1,811	.....	.....	6	2,423	11	775	.....	.....	.....	.....	.....	.....
Choctaw	395	544	281	778	.....	.....	.....	.....	120	1,641	.....	.....	.....	.....	.....	.....
Chickasaw	1,463	976	987	1,778	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Claiborne	1,880	39	496	1,049	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	494	1,050
Clark	1,123	582	1,225	1,289	.....	.....	.....	.....	.....	.....	.....	.....	1,232	1,290	.....	.....
Coahoma	1,295	294	234	509	.....	.....	993	679	.....	.....	.....	.....	.....	.....	.....	.....
Colfax	1,559	41	659	1,737	.....	.....	.....	.....	546	1,548	.....	.....	.....	.....	.....	.....
Covington	229	355	308	633	.....	.....	.....	.....	.....	.....	.....	.....	295	643	.....	.....
Copiah	1,784	1,576	1,861	2,435	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,862	2,426
De Soto	1,950	622	1,566	2,405	.....	.....	1,561	2,319	.....	.....	.....	.....	.....	.....	.....	.....
Franklin	385	513	542	747	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	537	743
Greene	57	80	59	303	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	59	303
Grenada	1,152	543	983	1,230	.....	.....	48	2,076	.....	.....	.....	.....	.....	.....	.....	.....
Hancock	242	345	257	492	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	257	510
Harrison	312	460	290	760	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	293	770
Hinds	3,489	1,184	2,321	3,836	.....	.....	.....	.....	.....	.....	.....	.....	2,281	3,863	.....	.....
Holmes	2,285	578	1,254	2,291	.....	.....	.....	.....	.....	.....	1,269	2,282	.....	.....	.....	.....
Issaquena	998	45	2,044	266	.....	.....	.....	.....	.....	.....	.....	.....	2,006	298	.....	.....
Itawamba	.....	1,073	30	980	.....	980	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jackson	322	605	312	878	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	318	876
Jasper	627	468	835	1,163	.....	.....	.....	.....	.....	.....	.....	.....	814	1,165	.....	.....
Jones	33	156	4	414	.....	.....	.....	.....	.....	.....	.....	.....	2	419	.....	.....
Jefferson	1,294	58	1,922	678	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,912	643
Kemper	1,229	781	418	1,339	.....	.....	.....	.....	.....	.....	421	1,344	.....	.....	.....	.....
La Fayette	1,355	1,651	1,661	2,070	.....	2,087	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lauderdale	1,399	1,491	1,266	1,977	.....	.....	.....	.....	.....	.....	1,249	1,988	.....	.....	.....	.....
Lawrence	9	57	591	797	.....	.....	.....	.....	.....	.....	.....	.....	813	588	.....	.....
Leake	555	688	617	1,182	.....	.....	.....	.....	.....	.....	593	1,200	.....	.....	.....	.....
Lee	715	1,162	183	2,423	.....	2,426	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Leflore	728	216	1,334	424	.....	.....	800	935	.....	.....	.....	.....	.....	.....	.....	.....
Lincoln	872	488	980	1,311	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	975	1,315

Counties.	State treasurer, 1873.		State treasurer, 1875.		Congress, first district.		Congress, second district.		Congress, third district.		Congress, fourth district.		Congress, fifth district.		Congress, sixth district.	
	Holland, republican.	Vasser, democrat.	Buchanan, republican.	Hemingway, democrat.		Lamar, democrat.	Howe, republican.	Wells, independent.	Powers, republican.	Money, democrat.	Niles, republican.	Singleton, democrat.	Hill, republican.	Hooker, democrat.	Lynch, republican.	Seal, democrat.
Lowndes	2,725	680	2,021	2,137					1,970	2,130						
Madison	2,331	354	2,587	1,488							2,481	1,583				
Marion	216	197	214	487											223	586
Marshall	3,126	1,998	2,856	3,186			2,095	3,782								
Monroe	2,007	1,837	1,546	2,613						2,605						
Montgomery	923	940	763	1,291					107	1,297						
Neshoba	108	135	136	1,002							143	983				
Newton	232	549	432	1,420							404	1,443				
Noxubee	2,378	103	2,088	1,383					1,731	1,363						
Oktibbeha	1,233	44	1,598	784					1,133	775						
Panola	2,939	1,485	2,400	2,968			2,310	2,999								
Pearl	1	102	7	133											10	135
Perry	6	48	36	361											64	349
Pontotoc	474	1,292	464	1,412		1,562			1,202	1,386						
Pike	870	892	1,200	1,393											1,202	1,386
Prentiss	248	1,202	71	1,857		1,908										
Rankin	1,079	1,028	1,028	1,672									1,003	1,697		
Scott	344	723	490	1,138							489	1,128				
Simpson	285	496	332	737									328	736		
Smith	25	861	44	1,149									62	1,134		
Sumner			342	799					219	708						
Sun Flower	421	209	378	346			384	82								
Tallahatchee	812	353	969	1,239			406	1,510								
Tate	1,338	1,506	1,495	1,973			1,472	1,883								
Tippah	291	1,069	268	1,468		1,507										
Tishemingo	67	781	12	1,352		1,381										
Tunica	720	5	1,165	141		832	1,130	152								
Union	481	844	379	1,204												
Wayne	253	245	363	586									362	589		
Warren	1,572	1,211	2,042	3,606									1,680	3,833		
Washington	1,829	473	1,638	2,043							1,632	2,047				
Wilkinson	1,497	76	1,808	400											1,820	393
Winston	514	687	377	908					46	900						
Yalabusha	938	1,203	941	1,687		1,811										
Yazoo	2,427	411	7	4,044							81	4,037				
Total	70,462	47,486	67,000	97,922		18,412	13,149	19,250	5,883	13,744	9,914	19,790	10,653	16,530	13,741	13,510
Majority	22,976			30,922				6,101		7,859		9,876		5,877	231	
Total vote	117,948		164,922													

REPUBLICAN VOTE OF MISSISSIPPI.

Q. In 1873 the aggregate republican vote is put down at 70,462. Is that about the fair republican vote of the State?—A. Well, I believe that at that election the republican party was defrauded in two republican counties of from 5,000 to 10,000 votes. It was undetermined until two days before the election of 1873 that there would be an election. That, of course, had its influence on the vote; but that is perhaps a fair index of the republican vote.

Q. That aggregate?—A. Yes, sir. It was some 8,000 or 10,000 larger than in 1869.

Q. It was a very much larger vote by the republican party than had been polled before?—A. I cannot say without an examination of the record.

Q. But I am now speaking of the republican vote polled in 1873.—A. I have never compared that very minutely; but I think that is about the aggregate vote—nearly as full as it has ever been cast.

Q. In what two counties do you claim that there was a loss of republican votes in 1873 by fraud?—A. Warren County and Monroe County. Warren County had formerly given 3,500 majority for the republicans. I do not remember how much it gave in 1873. I know there were frauds committed.

Q. The whole vote in 1873 in that county was not quite 3,000 votes?—A. Previously the republican majority had been 3,000 or 3,500.

Q. What was the ordinary aggregate vote for Warren County?—A. I think about 6,000. That is my impression only.

Q. And in the other county that you say there was a loss of republican votes by fraud?—A. The republicans counted on a majority of from 1,000 to 1,500 in the county.

Q. That was Monroe County?—A. In Monroe County.

Q. Do you know what the aggregate vote in that county ordinarily is?—A. I do not.

Q. Do you remember what the aggregate vote was in 1873?—A. I do not remember what it was at that time. I know that there was a serious complication, and the returns elected democrats, or democrats and bolters, if you please, from the republican party; and they contested those seats, and were unanimously rejected. The bolters or democrats—I think they were mostly bolters—were rejected by both republicans and democrats in the house because of the frauds perpetrated at that time.

Q. I see this tabular statement has the vote for State treasurer both in 1873 and 1875.—A. That is for the reason that in 1875 the only general State election was for State treasurer, to fill a vacancy which existed by the death of the State treasurer. You understand that in 1873 all the State officers were elected.

Q. Governor as well?—A. Governor as well.

Q. In 1873 the candidates for governor were yourself and Senator Alcorn?—A. Yes, sir.

Q. How did the vote between the gubernatorial candidates compare with the vote between the candidates for State treasurer in 1875?—A. I think that they were nearly the same. I ran ahead of my ticket some 700 or 1,000 votes; but then, so far as the ticket that I was on is concerned, it ran very nearly parallel with all the candidates.

Q. The average majority, then, I suppose, was 22,976 or about that—that was about your majority?—A. No, sir; that is more than my majority. My majority was about 20,000. Although I received more votes than any man on my ticket, still, some of the candidates on Alcorn's

ticket received very few votes, indeed. So that is a more favorable showing to the republican side than my vote could have been.

THE DEMOCRATIC VOTE IN 1873.

Q. I desire to ask you, General, as a fact, whether the democratic vote in 1873 was not a very light one, there being no democratic candidate for governor, and they having, as you said, the choice between evils?—A. I think it compares very favorably with any vote that had been cast previously to that time.

Q. Well, previously to that time had that not been the character of the elections—the same condition of things, the opponents being republicans for governor and for the leading offices?—A. It may have had some effect.

Q. I say, were not the previous elections, in that respect, similar to this?—A. In 1868 the democratic candidate for governor was a major-general in the confederate service, General Humphreys, a very popular man; but, though elected, General Humphreys failed to come in, as the constitution under which he was elected was defeated at the polls. At the next election the democratic party picked up Mr. Dent, the gentleman whom I spoke of, that they came to this city to obtain.

Q. That was selecting a candidate from the opposition, was it not?—A. I think he passed as a republican there.

Q. Another choice of evils?—A. Another choice of evils. And then between Alcorn and myself. I presume they wanted neither candidate, but it was a choice of evils. But the State was very thoroughly canvassed in 1869, and also in 1868. There have also been elections every year. There was one in 1871, where the sum total of the votes could be obtained.

OPPOSITION OF MR. WELLS.

Q. (By Mr. BAYARD.) Is Mr. Wells, the present member of Congress, one of the leading men in opposition to you in your own party?—A. Yes, sir. He was a candidate for the United States Senate, and was a very earnest supporter of mine up to that time. He canvassed the State with me. He was the gentleman about whom Senator Alcorn and I had some little controversy in the Senate, Senator Alcorn deeming him absolutely unfit for the position of district attorney for the northern district of Mississippi.

Q. He was one among the political leaders of the republican party opposed to you in your administration of the State of Mississippi?—A. Yes, sir. I think it is due to myself that I should state the motive of a man who is a very bitter opponent to myself. In such cases we are disposed to inquire whether the fault is in the one man or the other; whether the accuser is entirely bad and the accused entirely good. I think it is due to myself to say that when he failed to get the election to the United States Senate, from that moment he became my enemy.

Q. Has he been one of those who has publicly denounced your administration of the State of Mississippi?—A. Yes, sir; and he has certainly circulated absolutely false statements. He went before the investigating committee of the legislature in Mississippi and made a series of statements, not one of which was true. I spoke a while ago of the readiness with which the democracy of the State has taken up Mr. Dent, and other republicans that they thought they could use; and while Mr. Wells has been denounced by them as much as any man, as soon as he attempted to split the republican party in his district, and ran on the democratic ticket, he was supported by them and elected by them to Congress, though he claims to be a republican.

Q. (By Mr. CAMERON.) He was elected by democrats?—A. It can be said almost entirely by the democrats. In all those republican counties that he claimed were supporting him, the democratic ticket went through successfully, and it was purely by what, in each county, would be regarded as democratic votes that he was elected.

Q. Do you believe that there was an arrangement there that he should be elected?—A. It has been publicly stated in the papers that there was an arrangement, and it has never been denied.

SCHISM IN THE REPUBLICAN PARTY.

Q. (By Mr. BAYARD.) Was there not a very serious schism in the republican ranks at the last election in Mississippi which you have just illustrated by the case of Mr. Wells, whom you state made an alliance with the democrats?—A. I repeat again, that there was no serious schism in numbers, but in violence on the part of the very few who did desert. That is my understanding.

Q. Then you speak of violent republicans?—A. By violence I mean the excessive hostility, animosity, and venomousness of the few who have gone.

Q. Few what?—A. Few republicans who have created this schism; that is, the number is insignificant.

Q. I ask you whether they did or did not succeed in creating a schism in your party ranks, by whatever means you please.—A. No, sir; substantially not.

Q. Yet they succeeded in being elected?—A. By democratic machinery; and the only one that was elected was this man Wells, and his friends, the men that he claimed in some of the counties, I think one or two, he was able to carry up some delegates to the convention; and those counties, which he claimed as republican counties, went democratic, and it was by those votes that he was elected.

Q. He got the republican nomination?—A. No, sir.

Q. Who did get it?—A. The former member of Congress, Mr. Howe.

Q. Did Wells run also as a republican?—A. Yes, sir. He claimed that he had the nomination; but he had out of forty votes in the convention only about seven.

Q. Did he bolt?—A. He bolted.

Q. He claimed to be the regular nominee?—A. Yes, sir.

Q. Then he got votes from the other side?—A. He got all the votes on the other side. I believe that he got no republican votes. That is, in the various counties the votes that the democrats received and his own were, with rare exceptions, the same; which shows that no republicans voted for him.

Q. (By Mr. MCDONALD.) That is, if they voted for him they voted with the democratic party?—A. Yes, sir.

Q. (By Mr. BAYARD.) Were there any candidates in the district except Wells and Howe?—A. None for Congress. Of course, in each county there were the county candidates; but the only congressional candidates were Howe, a straight republican, about whose political integrity there could be no question, and Mr. Wells. The newspapers stated publicly that there was a combination between Mr. Wells and the opposition, and it has never been contradicted.

REPUBLICAN VOTE IN 1875.

Q. (By Mr. MCDONALD.) I see by this tabular statement that the aggregate republican vote in 1875 was 67,000. I will ask you now if that was not as large as the republican vote had been before that time, except in 1873?—A. I do not think it was as large. My impression is, that the vote in 1869 was about 75,000, when Alcorn was elected.

Q. You think that in 1869 the republican vote was larger than in 1873?—A. Yes, sir.

Q. Have you any remembrance now of any other election in which the aggregate republican vote exceeded 67,000?—A. Those have been the only two general elections where the same person was voted for in all parts of the State. I have never compared the number of votes cast at any other election, but it is a matter that can be readily ascertained.

Q. (By Mr. McMillan.) A general election transpires every four years?—A. Every four years.

TICKET IN YAZOO COUNTY.

Q. (By Mr. McDonald.) In Yazoo County, was there not, in 1875, a compromise ticket formed?—A. No, sir. That is, I say that the republicans dare not hold a convention to make any nominations.

Q. I am not asking what the republicans dare or dare not do. I am asking whether there was not a compromise ticket formed, composed partly of republicans and partly of democrats, in the county of Yazoo.—A. I say decidedly, no. If there was, this is the first time I have ever heard of it.

Q. And if that ticket was not voted for almost by a unanimous vote in the county.—A. The returns show that the ticket that was in the field was voted for very unanimously. It was 7 votes on the one side, and 4,000 on the other; but there were no republicans on the ticket that I know of.

Q. No republicans on the ticket to your knowledge?—A. No, sir.

Q. None who had been republicans before that?—A. Not to my knowledge. You have sprung a new question to me. I have never heard the idea that you suggest now. I think you must be entirely wrong in the implication you put forth as to a compromise ticket.

Q. A local county ticket formed of men who had been before of opposite political opinions?—A. I never heard of that before. When I say I never heard of it, I mean that I do not remember that I ever heard of it.

THE FRIAR'S POINT DIFFICULTY.

Q. In speaking of this Friar's Point difficulty, you spoke of Mr. Chalmers and Mr. Reed heading the democrats.—A. Yes, sir; so reported.

Q. Were they citizens of the county in which the difficulty occurred?—A. Yes, sir.

Q. Were they not present simply for the purpose of maintaining peace and order?—A. I cannot say as to that.

Q. Were not those their efforts?—A. I only know of their conduct by what was reported to me. It was reported to me that Mr. Chalmers, a confederate general, led his followers and chased the negroes a number of miles through the woods.

Q. That was reported to you?—A. That was reported to me.

Q. The difficulty was between Mr. Alcorn on one hand and Sheriff Brown on the other; both republicans?—A. Yes, sir; so reported.

Q. The difficulty started between Senator Alcorn and Sheriff Brown?—A. Yes, sir.

Q. I will ask you if those present under Mr. Chalmers and Mr. Reed, whom you say headed the democrats, were not there as conservators of the peace between those contending factions?—A. If I understand you, let me say that the "contending factions" were not very evenly balanced, inasmuch as Sheriff Brown and hundreds of colored men were on one side and General Alcorn on the other. Those I understand to have been the "contending factions" on that day.

Q. (By the CHAIRMAN.) In that classification you speak of republican factions.—A. Yes, sir; there were two distinct factions in the county of Coahoma.

Q. (By Mr. MCDONALD.) Do you say that no other republicans were there sustaining Senator Alcorn, and that he was there alone making this disturbance?—A. I do not think I have said that, but I am prepared to say it substantially. So far as I know, he was substantially alone in this matter.

Q. I understand you then to say that, so far as the republican parties were concerned, Alcorn went there simply represented by himself and his double-barrel shot-gun?—A. Almost entirely. I will not say that some men from his own plantation were not supporting him. I will not say that there were not others; but if there were, in the report that came to me they have not figured so conspicuously as to attract my attention.

COMPROMISE TICKET.

Q. I have called your attention to Yazoo County, in reference to a compromise ticket. I will ask you if there were other counties in the State where the tickets for the local officers were composed of men selected from both parties, as a compromise ticket.—A. Yes, sir; it was done in certain instances, I was informed, because of these fears of violence and intimidation.

Q. I am merely asking you for a fact.—A. I so understand. This was the case in two counties only, I believe.

Q. Give the names of those counties.—A. Noxubee and Oktibbeha—both large republican counties.

Q. (By Mr. CAMERON.) You spoke of compromise tickets that were agreed upon in two counties. State the reasons for the formation of these compromise tickets.—A. I know that in Noxubee County, previous to the election, there was a riot, in which a number of negroes were killed and others driven away. There was a contest between the sheriff (a republican in a republican county) and another man, (a republican,) for the sheriffalty, and because of these riots the candidate who had received the nomination, I think, had to secrete himself, fearing injury and harm. In the turbulent condition of society there, and because of that condition of affairs, a combination ticket was arranged, by which a certain man, now in the lower house, by the name of Jarnigan, was put upon the ticket in a spirit of compromise. In order to have a fair election, it was necessary to put democrats on the republican ticket. That is my understanding of the cause of the compromise. The cause of the compromise in Oktibbeha County, I think, was due to a contest between two republican factions in that county.

THE FRIAR'S POINT RIOT.

Q. According to your information, about how many persons were actively engaged in the Friar's Point riot?—A. I understand that a body of men, of some two, three, or four hundred colored republicans, were coming in to hold a meeting, and that probably not more than fifty or sixty white men had assembled to prevent their coming in; and the battle, if you see fit to call it a battle, as reported to me, was conducted by General Chalmers. It was reported to me that an assault was made upon the colored men. The whites sent out a flanking-column to intercept them, to get them into a lane surrounded or bordered by a hedge, but the blacks very skillfully beat a retreat and made good their escape; that subsequently quite a number of them were killed. That was my understanding, in a very few words, of the events that occurred there.

Q. What is your understanding as to whether the colored men were armed or not, as a general thing?—A. I understand that very few of them were armed. I think it a notorious fact that very few of the colored people have arms in the State. When I say "very few," I mean comparatively few.

Q. Were the forces of General Chalmers armed?—A. They were reported to me as having been well armed.

ARMED COMPANIES IN THE STATE.

It is estimated that very large amounts of money had been expended for arms. As I said yesterday, I believe that Mr. Richardson armed and equipped a company in the town of Jackson. There were other companies armed and equipped. It is reported to me that large numbers of arms of the improved pattern were brought into the State during that summer, and pending the election, and that men were armed with them and equipped and drilled at various times and places during that summer and pending the election.

Q. Senator Bayard inquired of you if you knew of any cases, or case, where civil or criminal process was forcibly resisted. Now you may state whether you do or do not know of any instances.

REPUBLICAN SHERIFFS DRIVEN FROM THEIR COUNTIES.

If you know of any instances where the sheriffs were forcibly driven from any of the counties, state them?—A. I do not know about the legal process, but I do know that in the case of—to give you a general idea of the condition of the State during the past year—I know that in the first instance, Mr. Crosby, after he was re-instated as sheriff, appointed a democrat as deputy, and there was after that no trouble apparently; but he found it convenient to leave the State for his own personal safety, and the democrats conducted the office during the summer. I do know that Sheriff Morgan, of Yazoo County, was driven out of the county and dare not return. I know that immediately after the election the sheriff of Amite County was driven away and dare not return. I think I spoke specically of the sheriff of Monroe County, Captain Lee, who secreted himself on the day of the election; and of Mr. Chisholm, of Kemper County, who secreted himself or abstained from attempting to exercise his duties on that occasion in keeping the peace, through fears of assassination. I know that the sheriff of Chickasaw County was reported as having abandoned the attempt to keep the peace there. I know the sheriff of Copiah County reported to me that he would be unable to keep the peace. I know the sheriff of Claiborne County sent word to me that there was no protection to the republican voters—no protection on the day of the election. I know the sheriff of Madison County came to me—he was one of those who was compelled to put the names of men of the opposition as candidates for the legislature on the republican ticket because he could not keep the peace with a straight republican ticket in the field. A cousin of General Alcorn, who was sheriff of Tallahatchie County, reported to me officially that he was unable to preserve the peace there. These instances I state specifically; and there were, of course, in these reports complaints of different character, or different in grade. For instance, Mr. Morgan had to leave absolutely. Mr. Harney, by the way, in Hinds County, whom I had not mentioned, had no influence to keep the peace—no power. There were different degrees of expression as to their incapacity to keep the peace. This complaint was general throughout the entire State, notwithstanding the peace arrangements that had been made.

Q. I will ask you whether, so far as you know, all those sheriffs who were either driven from their counties or intimidated so that they did not dare to attempt to keep the peace, were republicans?—A. All.

Q. Did you know of any democratic sheriff or democratic peace-officer who was driven from his county or who was intimidated so as to prevent him from discharging his official duties?—A. I received no report of any such instance.

Q. (By the CHAIRMAN.) Did you hear of any in any way?—A. I heard of none.

THE "CHOICE OF EVILS" POLICY.

Q. (By Mr. CAMERON.) In order to illustrate this "choice of evils" policy, I will ask you who the democratic candidate for President in 1873 was?—A. Horace Greeley.

Q. What were his politics understood to be?—A. Anything to beat Grant. Prior to that time he was regarded as an abolitionist.

OPPOSITION TO GOVERNOR AMES'S ADMINISTRATION.

Q. Senator Bayard has asked you a good many questions in regard to persons who have denounced your administration. What were the charges generally made by republicans who were opposed to your administration?—A. I do not know. No one has ever charged me with personal corruption. They charge me with personal ambition, but although as military governor and as civil governor of the State of Mississippi I made thousands of appointments, in no single instance did I ever make any condition—was ever any condition attached to any appointment. I hope the committee, if it will be able to find all my appointees in the State of Mississippi, will put that question to them. If they do, they will find that there is not a single individual that I ever appointed to office, directly or indirectly, who was ever approached in any way as to any return he was to make for such an appointment.

I am charged with personal ambition; and it was stated in the letter that was read here from Mr. Pease, that I wanted to go to the United States Senate. I think I can state without any hesitancy that it was generally believed that when I was elected governor I would have no difficulty in being elected to the United States Senate. But I believed I could do more good to the cause that I was representing in the State, as governor, than I could in the United States Senate; and so what appears to be the height of ambition of many men, I absolutely disregarded, believing that it was my duty that I should so do. The charge that the democrats make upon me, among other charges, is ambition. The legislature that was to impeach me began its work by a denunciatory resolution, the chief complaint being personal ambition. One of the chief battles that I have got into since I have been governor, has been in the attempt to save the State of Mississippi a large sum of money.

THE CHICKASAW SCHOOL FUND.

A law was passed giving the Chickasaw school-funds—the proceeds of the sale of lands given to the State for school purposes by the General Government—to railroads, without any existence in fact. This attempt on the State treasury I resisted and eventually saved about a million of dollars to the State. It was in labors of that kind, for which, of course, I got no credit and am entitled to none, in the interest of the State, that I have incurred much of the hostility and denunciation that I am now laboring under.

CHARGE OF INCITING RACE-ISSUES.

Of course there is a question of race. It is said that I attempted to

incite race-issues. Why, the race-issue has been made ever since the war. It has been made in Congress, as to the rights of the negro to citizenship, and it is simply reflected there; I was holding the republican side of the question there, and that is all.

OTHER CHARGES AGAINST GOVERNOR AMES.

A list of the charges against me has been given me, mostly those made by Wells, and I declare them all false, from first to last. I know what they are because I examined them before that investigating committee, and I proved them all false—not one, but all. These charges and everything else of that nature have grown out of the disappointment of persons for office, because they thought I had some power with the party. It is the enmity and personal dislike that naturally grows up among men at all times.

SENATOR ALCORN'S SUPPORTERS IN 1873.

Q. Which party supported Alcorn for governor in 1873?—A. The democratic party. They had a convention and refused to make a nomination. I cannot say positively whether he nominated himself before or subsequent to that convention; but the democrats refused to make a nomination, and indorsed him.

THE QUESTION OF RESIDENCE.

By the CHAIRMAN:

Q. You spoke yesterday of the uncertain state of your mind in regard to your future residence, whether it would be in Mississippi or some other place. To what extent, if any, does the condition of things in Mississippi, or what you understand to be the condition of things in that State, influence you as to your course in regard to your remaining there or leaving?

UNPLEASANT SOCIAL AND BUSINESS RELATIONS OF REPUBLICANS.

A. The feeling entertained by all republicans is common. Men who went there ten or eleven years ago, carrying large sums of money, and who have been engaged in planting and in other business, find it very unpleasant and disagreeable to live there. They complain that they have no social intercourse with their surroundings, and, both socially and in their business relations, it is exceedingly unpleasant for them to live in these communities. That is the feeling of prominent men there. The canvasses are so bitter that they extend to every relation of life; and of course to a small minority of the white people it is exceedingly unpleasant and disagreeable. This is not true of these men alone who went there with large sums of money, but it is true of republicans who always have lived there. I spoke of Sheriff Chisholm, of Kemper County, who has been there all his life and is highly regarded by all. He complained to me that he was so much disgusted with the condition of affairs that he had determined that he would not continue to live there. His old neighbors that he had known his life long were willing, not to assassinate him perhaps, but were willing that these men from Alabama who had come in there should assassinate him, in order that the election might go democratic. In a county where any one party is willing that life should be taken to carry an election, it is certainly exceedingly disagreeable to the party or the members of that party whose friends are killed or driven about for political purposes.

FOURTH DAY.

WASHINGTON, D. C., *May* 3, 1876.

THOMAS WALTON sworn and examined.

By the CHAIRMAN:

Question. Please state your age, residence, and occupation.—Answer. I am forty years of age, my residence is in Leflore County, in the State of Mississippi, and my occupation is that of a lawyer and planter.

Q. Are you a native of Mississippi?—A. I am a native of Georgia. I have lived in Mississippi for the last thirty-five years.

Q. We are making inquiries as to the conduct of the last election in Mississippi—the election of November, 1875—as to whether it was a fair election; that is to say, free from the use of fraud or intimidation. If you have any information upon that subject you will please state it.—A. I was in Mississippi during all the time of the last canvass; but I was kept at my home, in a very secluded portion of the county, by sickness in my family, nearly the whole of that time. I was, for that reason, very little conversant with the transactions going on in the State, except through the newspapers and through the conversations that I had with persons who were in my immediate neighborhood.

I was not a witness myself to any acts of violence in the State, and I was not a witness to any acts of intimidation, unless perhaps there was one thing that I saw which might be considered, and was, indeed, an act of intimidation, I think.

AN ACT OF INTIMIDATION.

At one time I was in the town of Greenville, which is situated in one of the most important counties in Mississippi, Washington County, and a colored man there, who was a member of the State senate, by the name of Gray, was informed, as I have reason to know, though I did not see the act of informing him, that he would not be allowed to run for sheriff in that county. I happened to know about the fact, because I told him myself that if I were in his place I would run for that position, and because I myself was quite opposed to the person who would be certain to get the nomination of the party if he did not get it, and I thought it was certain that he could get it himself.

Upon my advice he determined to come out and ask for a nomination. The gentleman with whom I was staying in the town, my brother-in-law, who was a member of the democratic party, I told these facts to; and he requested my permission to go and communicate them to other members of his own party in the town. I consented to his doing so, and they sent me word that they wanted me not to take that position, but to withdraw that man's name. I sent them word that I would not do it. In the first message they informed me that if I did not do it they would have to compel him not to run.

Q. By whom did they send you this word?—A. By my own brother-in-law, Mr. Shields. It was a formal notification on both sides, and I declined to withdraw his name, and declined to withdraw my recommendation that he should run. The next morning I was informed that he had been notified that he could not run. At the same time, or shortly after that, I met the man himself. He told me nothing about such notification, but I was informed through the acquaintance that I had with the democracy there, that such notification had been given him, and he told me that he had concluded not to run. He did not give

me the reasons for that conclusion. Indeed, I must add that he told me he was not prevented from running by any apprehensions or fear on his part. Still, from my knowledge of the facts, I believe that intimidation was used on this occasion.

Q. As a matter of fact did he run or not?—A. He did not. A man named Bolton, who was a northern man, one that I considered must be a very unacceptable man to my friends, did run. My object in recommending to Gray that he should run was to try and defeat Bolton, and I think that if he had not been warned by these persons that he would not be allowed to run he would have run.

Q. Was any reason given you why he should not be allowed to run?—A. I do not remember that any reason was given.

Q. Have you any means of judging what the reason was?—A. I cannot say that I have. I was not much conversant with the state of things in the county. It was a county where I had spent but very little time; indeed, had hardly staid there any time at all, except that I had been there once before about a week to see a sister of mine, and was there at this time to see her. Mr. Bolton, who ran on the republican side, was beaten.

Q. Did you know anything about how Bolton's nomination was brought about?—A. Bolton's nomination was brought about undoubtedly through the agency only of the republican party and its immediate representatives. Gray, the man whom I had recommended to run, would have been nominated by the uninfluenced agencies of the same party, I have no doubt; but my immediate reason for attempting to defeat Bolton's nomination was that I considered him as not in fact supporting and upholding the State administration, although he professed to do so; and I told him so. I told him that I did not think he was giving the proper support to his crowd. It was merely on account of the defections inside the republican party that I recommended to Gray to try to defeat Bolton. I had always myself been a friend of Governor Ames's administration, and Bolton, though professing to be its friend, was at the same time denouncing and abusing its conduct, and I told him that I did not consider that these men who supported the Ames administration ought to give him their support. That was the ground upon which I recommended Gray to run. I thought he was breaking down the influence of his own party in the State by his conduct.

Q. What is the political character of Washington County—democratic or republican?—A. It had been largely republican. I think that there were nearly four thousand republican votes against five or six hundred democratic votes in that county. Up to last year I believe that the result had always been that way; and that was the way it was ordinarily esteemed that it would be. I do not profess to recollect the exact majority. The republican party, as is well known to the whole country, is composed in the South very largely of negroes. It was a very large county of negroes and a very small county of white people, on the Mississippi River, in a country there which is occupied entirely by large plantations.

Q. Were there any statements made to you as to the means that would be employed to prevent Mr. Gray from running?—A. No, sir; no statements on that subject.

Q. I understood you to say that this was the only case of coercion or intimidation of which you had any personal knowledge?—A. That is the only case of which I had any personal knowledge from my own observation.

THE STATE DURING THE CANVASS.

Q. What means of information have you as to what was taking place in the State during the canvass?—A. I had only the means derived from consulting the newspapers and from the rumor and talk that went on in the country. I was about in my own neighborhood, and once or twice I was away from home. I remember now that I went up to the town of Oxford just about the time the election took place; I was in Oxford on the day that the election took place, and passed up the railroad on the same day.

Q. Were any statements made to you, that you credited at the time they were made as being true, concerning the election or the canvass?—A. I cannot say that I remember any particular statements that were made to me at this time. The whole thing was the subject of constant and general conversation through the county.

COERCION ADMITTED AND DENIED.

What was the character of that conversation that was general?—A. On the one side there were grave charges of intimidation, and on the other side there was a strong denial of the fact that there was intimidation in the country. There was justification pleaded for it, and to some extent the admission that there was a coercion, which they insisted was a moral coercion, and which, at other times, they admitted to be somewhat accompanied by violence and force. Most of my own personal friends and acquaintances in Mississippi belong to the opposite party, and nearly all that I had spoken to in reference to the matter belonged to that party. It was pretty generally the case that they denied that there was anything like intimidation. I am speaking now only of the popular run of conversation in the country. When they did not deny coercion they admitted it as only of a moral character, or at least, when it was forcible, as having been brought about by violence, first on the part of the colored population.

POLITICAL PARTIES ORGANIZED ON RACE.

It may be said with perfect truth that the colored people were all organized on one side, and the white population, with the exception of those who held office or were candidates for office, were almost all organized on the other side. That is the true character of the political parties in the State of Mississippi. You can hardly put your hand on a single republican white voter who is not an officer or a candidate for an office; and you can hardly put your hand on a single voter in the democratic party who is a colored man. I mean to say it is just a question of race on both sides.

ORGANIZATION OF THE BLACKS.

Q. What is the nature of the organization, so far as you know, among the colored people?—A. Well, sir, it is one of those cases which, in my judgment, arises always out of the existence of a class of people who are ignorant, and who are comparatively helpless in the presence of a much more powerful body of people; who, although they may not be stronger in point of numbers, are stronger in point of force and intelligence. The negroes consequently herd together. They do so publicly, and they do so more especially in secret. That is to say, there is a silent organization, existing not professedly as an organization; but existing still, in point of fact, everywhere that I have ever been, which prevents the intercourse between the two races from being candid and free.

NO MUTUAL CONFIDENCE BETWEEN THE RACES POSSIBLE.

I am, myself, very well acquainted with negroes; I have always

been in the habit of dealing with them a great deal; I have always worked a good many of them; and I must say that my intercourse with them has been of a character to make me believe it impossible for anything like mutual confidence on political questions to arise between the white people and the negroes. I don't see how it ever can arise, and I do not believe, myself, that it ever will. I think this is due to the enormous gulf between the races in all social relations—that confidence which springs from personal friendships and an unrestrained social intercourse being, in my judgment, an essential cement to a political party, and being absolutely out of the question between the white and black races.

Q. You speak of an organization among the negroes; what do you mean by that—that they are organized in bands, under the command of any particular persons, or that they are associated together from the fact that they are of the same race and community of interests, or both?—A. They are not organized in bands.

Q. Or in companies, under officers, and having a general head?—A. Well, in the first place, they have their clubs, just as any other political organization has its clubs. I have never been inside of one of their clubs, but then they never have asked me, though the clubs were republican in their name, and republican, I suppose, in their character. They have generally acted in such a way as to leave me to believe that they did not want my presence there. Although they are quite near my house, I have entirely abstained from going there. And when the county conventions would meet, I have observed that the negroes in these conventions very strongly resisted white influence, and consequently it became disagreeable, inasmuch as there was such disposition, to the white people to have anything to do with these conventions. It became unpleasant personally, and it produced an impression which it was hard to avoid. I have always found it practically impossible for me to avoid it—the impression that these meetings meant nothing but the organization of one race against another. The truth is, that a white man, especially a Southern white man, belonging to the republican party, does not seem to be any more acceptable as one of their counselors or advisers than one who belongs to the opposition. Although my connection with the republican party has been undeviating, and I believe I have escaped from any personal reproach in that connection, I am quite certain that my personal influence with the negroes is not a bit greater than that of any democrat in my county; not a particle. I am quite certain that I was never able to influence a vote or influence a colored man on any single question of politics; which I confess with some mortification.

ORGANIZATION OF THE WHITES.

Q. What, as far as you understand, is the nature of the organization among the whites? You say the whites are organized generally.—A. The nature of the organization among the whites is just this: that there is a feeling among them that the negroes are banded together for the purpose of governing the country and expending its money regardless of any consideration except to promote personal ends, and that they are determined to support each other to a very large extent irrespective of the claims of virtue and intelligence; and the whites are just as determined to hold together and prevent that thing from being done. They are all united, except a few persons who have co-operated with the republican party, and who, as I said before, are generally men who hold office or are candidates for office. That state of things has brought great reproach in the State of Mississippi upon every white man connected with the republican party, a reproach which requires an enor-

mous weight of personal character to oppose and weigh down. The truth is, that the fact of a white man being a republican in the South, especially a white southern man, is a surprise to every person in the South. It strikes every mind with astonishment. It is presupposed, as the basis of all intercourse there, that a white man is a democrat, and that he belongs to this organization, the object of which is to prevent negro influence from controlling the country locally. Indeed, I may state the case more strongly, and yet not go beyond the truth. I may say that a white man must be very well known in the South for a true gentleman to overcome the presumption which arises there *prima facie* that he must be a rogue if he is a republican. And I find even here in Washington, when my friends present me even to northern republicans, there are signs of this same feeling, as they always feel it necessary to certify to my character after saying that I am a southern republican.

Q. It being the object of this white organization to prevent negroes from obtaining political control, what means has this organization for accomplishing that object?

MEANS USED BY THE WHITE ORGANIZATION.

A. I do not think that the organization was very scrupulous about the means that it employed for accomplishing that object. I think that they wanted to accomplish it as peacefully as they were able, but they were going to accomplish it; and the only way in the world by which it can be prevented is the enforcement of the constitutional guarantees by the policing of the country by the Federal Government. That has been the theory upon which we have all proceeded—that these things were written in the Constitution and were a part of the constitutional law of the country; that the Government was pledged, and its duty declared, to protect the voters against any kind of violence; and that we believe in carrying out these constitutional pledges. That is to say, that what was called interference in the South by the Federal Government was its constitutional duty, and that resistance to interference was resistance to the constitutional duty of the Federal Government. That has been our argument down there: but it is an argument which is resisted by the democrats with the statement that under no circumstances can we afford to let the negroes control the country; that they will run it in debt and impoverish it, and will have no regard for the conservative interests of the country, and it will finally terminate by ruining the country.

Q. According to the statement of facts that you have made, all the negroes are republicans and all the whites democratic, with the exception of those who are in office or those who are candidates for office.—A. And when I say all the negroes are republicans, it may be that there are a few who are not; but they are very few in number.

Q. And, assuming that the election is entirely free, what would be the result politically?

CONDITION OF THE REPUBLICAN PARTY.

A. I think the State would go republican. At the same time the breaking of the line which occurred there last year may perhaps make it quite impossible to reunite it. The democrats are now in power in this State; they hold all the local offices; they have ejected Governor Ames from his office by a species of compulsion, seizing upon all the judgeships in the State by means of that operation, and while the negroes are not under the influence in any degree of white people, they are very much under the influence of officers; officers of the law have a tremendous authority with them, and I think that they may

not be capable of re organizing the republican lines. But in another election, and especially in a Federal election, the republican party will go into the election disincumbered of any local influences, or very much more disincumbered of local influences than in the last election. Undoubtedly the local influence did have a very large weight in breaking down the republican organization in the State last year. For instance, there was a division inside of the republican party; they were mutually accusing each other of bad conduct. There was what was called the Alcorn wing of the party and the Ames wing of the party; and recrimination was constant between them; and they had finally succeeded in bringing about such a state of affairs that it was impossible to unite the support of either side in any unanimous body of republican voters. The Alcorn crowd had last year quite a strong support even from the rank and file of the party, though not in 1873.

By Mr. McDONALD:

Q. When you speak of voters do you mean the colored men?—A. Yes, sir; the vote of the party is almost all colored. That of itself had produced such a state of things. It probably might have made it impossible for the republicans to carry the election in any event, especially as the democrats were very anxious by exchange of votes to control the legislature; and that was their main and chief purpose. The legislature was the great object that they had in view. To control that they were willing to make any number of exchanges. It was of very much more importance to them than the control of the Representatives to Congress. For instance, a very large portion of the votes cast for Mr. Wells, who is one of the Congressmen from my district, were democratic votes. There were a couple of nominations, both republican in their character; Mr. Howe, the previous member, and Mr. Wells. I suppose that all the democratic votes in the district were given to Wells. He got also a large number of republican votes, and beat his opponent by a great majority, although there was a strong republican majority in the district—about three thousand. But Wells's majority was, I believe, in the neighborhood of nine thousand. So he must have got as many, if not more, republican votes even than Howe. I am not quite certain of the number, but I know it was very large. He must have got a pretty strong republican support, and got all of the democratic support. Howe himself was not acceptable to the democracy at all, and he was not acceptable to the Alcorn wing of the republican party. Now, in the approaching election these divisions in the republican party will be healed, and, the danger arising from such divisions no longer existing, we may probably be able to reunite all the republicans. But it is difficult to say that that is certain. It is impossible that it can be certain, in view of the fact that the line being once broken and demoralized it is hard to re-unite it.

There were last year, I have no doubt, many local nominees who deserved defeat, and it is true that there were a great many republicans, too, throughout the State who did not regret their defeat. You hear them constantly talking that way all over the State, saying that they do not care anything about it; that they think that there were a good many men who ought to have been whipped out; and republicans, too, of both sides of this duplex republican organization down there talk this way. There are others, on the other hand, who regard last year's defeat very bitterly.

EXPENDITURES OF PUBLIC MONEY.

Q. What is the fact in regard to the misuse of public money or ex-

travagance in the public expenditures? You speak of that as a reason why the democrats organized against the negroes.—A. I am not, myself, able to give a very accurate statement about that, for I never have followed the course of public expenditures in Mississippi closely enough to give anything like an intelligent statement on that subject. I know that the State is not largely involved in debt, and I believe two or three millions of money is all they owe; and that they owe nearly all to their school and college funds of various kinds. The debt outside of that is a small debt, and my impression has always been, and I believe it is a true impression, that the State government of Mississippi has not been an extravagant government.

STATE TAXATION.

Q. Is the taxation burdensome as compared with other States, so far as you know?—A. Well, sir, I do not think myself that the taxation is anything like so burdensome as they say it is; and I judge simply from my own taxes, which are no more now than they have been every year since the war; and they are not burdensome. I think they are light enough. Yet you hear numerous complaints of burdensome taxes. The complaint is, perhaps, just in a great many instances, on this account: there are local taxes there in the counties as well as the State tax. The State tax, I think, has always been reasonable enough, and the expenditures of the State government have never appeared to be excessive.

COUNTY TAXATION.

But there has been extravagance in the counties, and very flagrant extravagance, which has in some cases run taxation up to a pretty high point. That state of the case has been unavoidable. There have been a great many counties that have had boards of police composed of people who had not a particle of interest in the property of the county, but yet who have expended the county money and levied the county taxes, and who were often so ignorant as not to be able, in many instances, to read and write; and yet they have had the outlay of from ten to hundreds of thousands of dollars' worth of money. As a natural consequence that outlay of money has been rather flagrant in the counties. There have always been about Jackson some men who have exerted their influence to the greatest possible extent for the purpose of preventing any unusual taxation and any wanton expenditure of money on the part of the legislature; but that influence they have not been able to exert in the counties.

As I have just stated, the white republican voters who were interested in preserving the property of the county had very little influence in controlling either the negro vote or the negro action; very little indeed. We felt that we were entirely powerless in our ability to do that thing. If they were going to make a public expenditure of money in a particular county, no matter how much it was, it was useless for me or any one else connected with the republican party to go there and tell them not to do it. And finding, from frequent repetitions of failure, that these attempts were useless, it was unavoidable that we should finally abandon the effort. This evil has been very great, notoriously very great, and acknowledged by all classes of people to be very great.

When I spoke of the fact that taxation was not oppressive, I meant more particularly the taxation on the part of the State; I did not mean the taxation on the part of the localities by these county legislatures, as they might be called, which has been very formidable. Indeed, I have often felt that I was about to be impoverished by this local taxation; but we have managed to prevent it to some considerable extent

in our county. We managed in one case, where they proposed to build a railroad, which, if it had been constructed and given to us, we would never have been able to run, to get a proviso attached to it that the money was not to be paid until it was built, though we had great difficulty in getting in this condition. It was never completed, and consequently we did not pay that tax; but it would have been a fearful tax if the road had been built. It was to run through a swamp, and the road could not have paid for its repairs; and, even if it had been built, could not have bought its rolling-stock.

GOVERNOR AMES'S INFLUENCE ON TAXATION.

But I think Governor Ames, in his administration, did everything that it was possible to do to enforce economy in the counties. I think he did everything on earth that a man could do to reduce the expenses. It was thus his influence, in large part, that prevented the taxation from being heavy in Jackson. He was constantly urging upon the legislature the passage of such laws as would tend to correct the mischief of public extravagance.

Q. During the canvass were there any statements in the newspapers that you thought trustworthy, showing that there was any intimidation or coercion of voters?—A. Yes, sir; O, yes, I do not think that there was any doubt about the fact that there was a tremendous amount of intimidation and coercion in the State, if you ask my opinion upon that subject. I think it was enormous. At the same time, in nearly every one of the instances—not in every one—as for instance in the notorious Clinton massacre, it appears, I believe, that violence was first begun by the negroes. But after it was first begun by them they were visited with retaliation which struck consternation into whole communities, and extended not only into the immediate neighborhood but for a hundred miles around, and struck the negroes with horror. And while they might have started the violence, the opportunity was always seized upon by the democrats to strike a blow which should be a perfectly fearful one in the way of retaliation. And after the trouble was started armed bodies of men would go out where these scenes had occurred and inflict a blow upon the negroes, sometimes killing some of them; and the reports of these things were constantly magnified. The fact was that they wanted it to be understood through the local community there that a great deal more blood had been shed and that a great many more people had been killed than was actually the case. They did not want that thing to get North, but they were anxious to have these stories exaggerated down there for the local effect.

VIOLENCE FROM POLITICAL CONSIDERATIONS ONLY.

I do not believe that these men who were engaged in these acts of violence were actuated by any malice against the negroes; it was only those political considerations that led them to desire that a blow should be struck, for the influence that it would have upon the coming election. I believe from what I know down there that had it not been for the elections, the disturbances that took place, to a very great degree, could have been prevented; and I do not doubt, from what I heard and saw, that what was actually done in the way of outrages down there was very much exaggerated, because it was their policy to exaggerate it; and it was the policy of the republicans not to exaggerate it, and they were constantly trying to convince the republican voters that it was not as bad as was reported. But whenever a scene of violence occurred, the democrats tried to make the most they could out of it in the sequel.

POLITICAL EFFECT OF VIOLENCE.

Q. What do you mean by "the sequel?"—A. The political effect it produced in the community.

Q. What was that effect?—A. I think that showed itself pretty strongly in the election. We were not cognizant of what the effect was until the election showed that from about 20,000 republican majority in 1873, the State had gone democratic by a much larger majority than that on this occasion. After these outrages had occurred we began to hear that the negroes were joining democratic clubs all over the country. We did not believe those rumors were true until the election showed that they were true. I think that a greater change occurred during the last month before the election than at any other time. There was pacification down there during that month; this peace was established for some time before the election, which we all consider as a very shrewd movement on the part of the democrats, giving the appearance of perfect peace to the election. The blow had been struck, and the disorganization produced, and then came a cessation of hostilities—an armistice—between the parties. and things went on until the election very quietly; and the election itself was not attended by very much disturbance.

SENTIMENTS OF THE YOUNG WHITE MEN.

Q. As far as you know, are the white young men who are coming up, and who were boys during the war, more or less opposed to the negro population than their fathers?—A. When you say "opposed to the negro population," that is a question to which I can hardly give a direct answer. They are opposed to the negro in his politics just as much, and even, if anything, more than their fathers. I believe that the men who have long been identified with public affairs down there are less vehement in their opposition to negro influence than the young men who are growing up.

NEGROES AS LABORERS PREFERRED.

But, at the same time, those men are not opposed to the negroes. For instance, in the county in which I live, which is composed entirely of plantations, nearly every planter is in the habit of going to Georgia and Alabama and bringing negroes in there by the score and by hundreds. One man will sometimes go and bring fifty or a hundred, and even as many as two hundred, to work his own land. There is universally a preference there for negroes as laborers on plantations rather than white people; they all prefer the negroes. There are hardly any persons there who would not reject white people every time and take the negroes to work their lands. They are more manageable and more docile in all matters of business; the settlements with them are easier; they work better in obedience to orders; and they cause very little trouble in working plantations; and, being less expensive, make them a great deal more profitable than the white laborers.

EMPLOYERS HAVE NO POLITICAL INFLUENCE.

The intercourse between the employers and the negroes is a very pleasant intercourse; as pleasant, perhaps, as the intercourse between any employers in the world and their hirelings could be; except when it comes to politics, and then the employers have no sort of influence at all. I never have had any myself, and never have known of a single employer having the slightest possible influence over any colored man that was on his plantation in regard to political matters. I have been working lands myself ever since the war, and I am perfectly certain that

my support of any particular man, or my advice to a negro as to what his political course should be, has never had the slightest possible influence upon him.

NEGROES IN DEMOCRATIC CLUBS.

Q. How, then, do you account for the fact that you have just now stated, that the negroes joined the democratic clubs and associations?—A. In my own judgment, that resulted in part from a sort of coercion. When I say coercion, I mean the influence exerted upon their minds. Probably I do not employ the right term in saying "coercion;" but the influence of those disturbances that occurred in the State—those outbreaks—had alarmed the negroes, and had stricken a great deal of terror into them.

NEGRO PARADES.

There is no doubt that the negroes were very much disposed to have political parades, and their parades are not always as peaceable and quiet as they ought to be. Sometimes, if they were looked at properly, they ought to be considered as riots, for very frequently when they parade they stop in front of people's houses and alarm and frighten the people inside. Well, they stopped their parades there entirely when this outbreak in Clinton occurred, and when the disturbance broke out at Friar's Point where Governor Alcorn was.

THE FRIAR'S POINT DISTURBANCE.

This last disturbance was not very far from a place of mine, and reached within a few miles of it. Before that occurred, the negroes in that particular locality had exhibited a great disposition to have political parades, and these parades were always more or less terrifying to the women and those generally who lived in remote portions of the country not very well settled. On that particular occasion some twenty white people from the surrounding hill-country, where there are more whites living than in the county where I live, collected together and came down there for the purpose of checking these things and preserving the peace. That happened when I was away in Greenville; but I heard all about this thing after I came home.

Q. Were any persons killed at the Friar's Point riot, which you say was near one of your plantations?—A. This thing extended pretty near to my place; but the place is some sixty miles from Friar's Point. A body of negroes assembled within four miles of my own place, with the object of going to re-inforce this crowd in Coahoma County. There was also an assemblage of white men, and they passed right by my place while I was absent, for the purpose of driving those negroes away; but they did not come into collision, and there was no violence in that neighborhood.

PRACTICE OF CARRYING ARMS IN MISSISSIPPI.

Q. Were both sides armed—the negroes and the white people?—A. I do not know, sir. I did not see them myself at all; but I imagine that they must have been armed, for the reason that nearly every one down there has some kind of arms.

Q. Do you speak of both black and white people?—A. The black people have not got them to the same extent as the whites have; but almost every man, black or white, who has money enough to buy firearms, has them. It is the greatest place on the face of the earth for pistols. No man is comfortable down there unless he has got his pistols.

WHITE OPPOSITION TO NEGRO CONTROL OF POLITICS.

The white people there are determined that the colored population

shall not control that country and its politics; and I believe that they will remain so to all time.

By Mr. McMillan:

Q. Irrespective of the provisions of the Constitution of the United States?—A. They are determined that the negro population shall not control the political affairs of that State. One reason is because the negroes are negroes, and another is because the negroes are ignorant and the white people are more intelligent; and another reason is that nearly all the property down there is in the hands of the white people; and still another reason is that the negroes, when they get the power in their hands, are disposed to monopolize everything themselves.

Q. Do I understand you to say that they determine to do this in opposition to the express provision of the Constitution of the United States authorizing these people to vote?

BELIEF THAT THE CONSTITUTIONAL AMENDMENT CONCERNING SUFFRAGE IS A CIPHER.

A. I think that the general feeling down there at this time among the democrats—and it is coming to be a belief among republicans too—is this: that that part of the Constitution which says that no man shall be denied the right of suffrage or any of his civil rights on account of race or previous condition of servitude, has pretty much become a cipher; and that the national republican party, just like the democratic party, have abandoned the enforcement of that provison of the Constitution down there; and that the negroes are not to look to the Government for protection of that kind.

Q. Is that because they believe that that provision of the Constitution cannot be enforced?—A. I believe if there was a belief down there that that provision was going to be enforced, every negro would vote the republican ticket.

Q. Then, notwithstanding this provision of the Constitution securing them these rights, the white people down there are determined to control the matter and prevent them from exercising those rights?—A. I think they are fully determined that it shall not be done in such a way as to give the negroes the control of the country.

Q. Even if it should be necessary to resist this provision of the Constitution: is that what you understand to be the feeling?—A. I suppose, if the question were submitted to the people as to whether they would enforce the laws to carry out that provision of the Constitution, that it would be a dead letter.

Q. (By the Chairman.) You mean, by the people, the white people?—A. Yes, sir.

Q. (By Mr. McMillan.) You spoke of the vast majority of the democratic party as being white people?—A. Nearly every one of them. No matter what may be the state of the case, whenever any set of white men in the South propose to make the negro an element in politics, whenever any body of men down there set out with the idea that the negro shall become a power in politics, that very moment the other white leaders who oppose them will be able to rally the white race against it. The presentation of the negro as an element of politics in the South, in my judgment, will invariably enable the leaders who oppose such movement, to rally the white voters down there against it.

Q. Upon a presentation of that question—the mere question of the facts as they are now, that the blacks have the right of suffrage, which, where they are in a majority, would enable them to control an election—do I understand you to say that the determination among the white

people is that the blacks would not be permitted to control the election if a majority of them should vote in that particular direction?—A. To give you a categorical answer to that question, I believe they would not be if they organized, as they are strongly disposed to do, in one solid black mass, and I believe the only way on the face of the earth to enable them to control an election, if they organized for the purpose of carrying out their black policy, would be for Federal authority to interfere and protect them in that organization. I do not think that they could protect themselves, nor that the people of Mississippi, or any other Southern State, would protect them. It is true that most of these people who do these things are not aware of the fact that that is a provision of the Constitution. When you tell them that the Constitution guarantees the protection of this race in their political rights, and that laws have been passed for that purpose, securing that guarantee, that is a thing they have not thought about. I have frequently had occasion to do that, because I have often been asked by parties down there, in a perfectly candid and fair spirit, what was the reason that I supported the republican party, and this has been my answer: that I considered that every man was obliged to support the republican party or policy because we were pledged by the Constitution to protect these people.

JUDGES OF ELECTION AND SUPERVISORS—HOW APPOINTED.

Q. (By the CHAIRMAN.) Are the judges of election and the supervisors for the present year appointed in Mississippi?—A. I am not able to tell you whether they are or not. The judges of election are appointed for a fixed period. I think that their present appointments expire about the middle of the coming summer, before the next election comes on. The other day I was informed by Governor Ames that the legislature had recently passed an act for the purpose of organizing a different method of election, and that by that act the authority had been taken away from the officers who formerly exercised the power of appointing election officers and had been put in the hands of the governor, the president of the senate, and the secretary of state. They were formerly chosen by the circuit judges, the chancellors, and the sheriffs. The statute last year required that there should be three registers of election in each county; one to be appointed by the circuit judge, one by the chancellor, and a third by the sheriff; and the law required that at least one of the three should be of the opposite political party from the other two, so that one of them was generally a democrat and the other two republicans. I do not remember now that I heard of any accusations of fraud at the election last year. I do not remember that I heard of any charges of that kind.

Q. The registrars of election are a different class of officers, are they not, from the judges of election?—A. My recollection is that the registrars are judges themselves of the elections. Who appoints the judges I am not quite certain. I know that these officers that I spoke of appointed the registrars; but the registrars hold the election at the county-site. It was a thing that I did not investigate particularly. I had the appointment of one of the registrars in various counties, as chancellor. I did not appoint any judges; but I remember that these registrars were seen exercising the power of judges of election at the county-site.

FIFTH DAY.

WASHINGTON, *May* 4, 1876.

Continuation of the examination of THOMAS WALTON.

AGGREGATE REPUBLICAN VOTE.

By Mr. MCDONALD:

Question. In the State elections preceding the election of 1875, can you state about what the aggregate republican vote was?—Answer. My impression is that the republican vote has been in the neighborhood of seventy-five thousand; but I have a bad recollection of numbers, and it may be that I err greatly in stating things of that kind.

Q. From the tabular statement attached to the testimony of Governor Ames it appears that in 1873 the aggregate vote for the republican candidate for treasurer of State was 70,462. That was the year that Governor Ames and Senator Alcorn were the competing candidates for governor?—A. Yes, sir.

Q. I ask you if that aggregate is about what you understood the republican vote of the State to be prior and at that time?—A. The aggregate vote for treasurer in 1873, you mean?

Q. Yes, sir; 70,462.—A. I never noticed that particular vote, but from 1870 to 1875 that has been about what I think the vote of the republican party in the State was; that has been my idea of the strength of the republican party in the State.

Q. Were you in the State in 1869?—A. I was; but not during the whole of the canvass. I was at the Hot Springs, Ark., during a large portion of that canvass.

Q. Do you remember the aggregate republican vote for that year?—A. I don't know, sir; I am not able to state from memory the vote for any particular time, or for any particular person, very accurately. I have only a general recollection of what the republican vote was. I think, however, that is, my recollection is, that Governor Alcorn was elected over Dent in 1869 by some 38,000 votes. I think Dent got about 35,000 or 36,000 votes; that is, however, a statement from vague memory only.

Q. Were you in the State during the canvass and election, at the time that General Humphreys was candidate for governor?—A. I was in the State during all the time; but I was not at the election.

Q. The new constitution was voted on at that same election, was it not?—A. I believe it was.

Q. And defeated?—A. Yes, sir; that is my recollection, that it was defeated at that election.

Q. Do you recollect what vote General Humphreys got?—A. I do not.

Q. Or what the aggregate vote in opposition to him was?—A. I do not remember the aggregates on that occasion at all.

THE LAST DEMOCRATIC CANDIDATE FOR GOVERNOR.

Q. Was not General Humphreys the last democratic candidate for governor in Mississippi, down to the present time?—A. I believe he was, sir; he was the last man who was looked upon as a democratic candidate for governor.

Q. Did he not receive a majority of the votes cast at the gubernatorial election in 1868?—A. My impression is that he did, sir.

Q. Has it ever been pretended, as far as you know, that the republi-

can vote of 1873 was not a full vote?—A. I do not know that I can say that I believe it was not a full vote. The ticket that was in the field against the republican party—against Ames—was beaten.

Q. I am speaking of the republican vote, not of the opposition.—A. Yes, sir; I am going to tell you. The Alcorn party claimed that they had many supporters among the republicans, and that many prominent republicans supported that ticket. Whether that was so or not I am not able to say; but Alcorn himself was a republican, and I believe that his ticket was a republican ticket, as far as I recollect. They claimed that they represented the republican party. Consequently, it may be that the republican vote on that occasion supporting the Ames party was not a full vote. I am not able to say whether it was or not, for the opposition did not run as democrats; they ran as republicans, and they had a good many republican supporters that were public men in the State. Whether they had any voters in the republican party besides these public men I do not know.

WHITE AND BLACK MAJORITIES BY COUNTIES.

Q. Is not the numerical majority of the blacks in that State confined to comparatively few counties; are there not more counties in the State having white majorities than there are counties having black majorities?—A. I think there are a good many more counties having white majorities than there are counties having black majorities; but I am not able to state that with great certainty. It is a question to which my attention was never particularly called. A great many of the counties are thinly settled, and those that are thus thinly settled are generally those having white majorities; although it is not always the case that counties having white majorities are very thinly settled. I believe, however, that the most populous counties in the State have black majorities, the black population being more massed than the white population.

STATE TAXATION UNDER GOVERNOR AMES.

Q. You stated yesterday that you did not think the State expenses had been much increased under the administration of Governor Ames. Can you state the percentage of State taxation?—A. I cannot, sir.

Q. In any year?—A. I cannot state it with accuracy; but the aggregate of State taxes before the war was very much less than the aggregate of State taxes has been since the war.

TAXATION FOR SCHOOLS.

A large portion of the aggregate since the war has been made up of taxes for the support of schools; and the democratic legislature in Mississippi to-day find themselves very much embarrassed in the effort to reduce the taxation on account of the school system, as the taxation necessarily has to be a great deal larger than it was before the war on that account. But the present democratic legislature has stopped the school-tax altogether. My impression is that we did not have any State or county taxes before the war for the support of schools; that we depended entirely for the support of schools upon the sixteenth section—that is, the Federal Government's donations of land. There was one portion of the State where they did not depend upon the sixteenth section, but a portion of the amount received by the United States from the sale of public lands was given for school purposes. There may have been taxes for school purposes at some period of the State's existence before the war, but none that I am aware of.

PERCENTAGE OF LOCAL TAXATION.

Q. You speak of local taxes being greatly increased in some cases

through the mismanagement of the local officers or otherwise. Can you state what was the percentage of local taxation in any of these counties?—A. Well, sir, I think that I paid about 2½ per cent. taxes in the aggregate, for State, county, and other purposes; but the assessments were low, very low. Still, the assessments were not lower than the prices which the property would have brought if it had been put up and sold for cash. They were lower than the price the people would have been willing to dispose of their property for, but not lower than they would have realized if they had put it up and sold it and got the money for it paid down.

Q. Do you know what the rate of local taxation in Warren County was?—A. No, sir; I do not. I do not know anything about taxation in Warren County. It is very far removed from me, and I do not know anything about the particulars of that county's affairs.

Q. Was there not, in some of the counties of the State, a much larger percentage than that you have stated of local taxation? You spoke of that as about the average that you paid.—A. I think I saw statements in the papers that there was; but I did not know any of the counties' affairs myself, to which these statements referred.

Q. I think you stated that you had been a supporter of Governor Ames and his administration?—A. Yes, sir.

REPUBLICAN OPPOSITION TO GOVERNOR AMES.

Q. I will ask you if there was not a very violent opposition in the republican party among quite a number of men, who were regarded as republican leaders, to Governor Ames's administration?—A. Yes, sir; and to every other administration that is republican down there. The fact is, that any man who is made governor of Mississippi, or perhaps of any other Southern State, by the republican party, is doomed to his own destruction; and that, owing to the very violent dissensions that go on inside the party. Governor Ames, in the matter of these assaults that were made upon him, was the victim only of the state of things, of which he was the head.

Q. The objective point.—A. Yes, sir. I do not know anything on the face of the earth that can be more trying to human patience than to be made governor of one of the Southern States under the present state of things.

CONDUCT OF GOVERNOR AMES.

Q. These violent dissensions in the republican party among its leaders, as you say, were as active in 1875 as they had been at any time previous, were they not?—A. I think so. I always considered Governor Ames's conduct as most exemplary in its character, and looked upon him as a very strong character and high-toned man; and I think that the things which brought down impeachment upon him, those acts which really moved the democracy against him, were things that he was as a man of honor compelled to do. The estrangement of his party associates, he being governor of the State and having its patronage at his disposal, was one of those things too apt to ensue when his patronage gave out.

COUNTY DISSENSIONS.

Q. Were there no counties in the State in which the dissensions in the republican ranks did not affect the local politics in the county?—A. There are plenty of counties in which I do not know of such dissensions myself. Whether there are any counties in which the dissensions did not exist I am not able to say.

Q. Can you name any counties in which you had no knowledge of any division in the republican party?—A. Yes; I might say that I

could name nearly all the counties in the State, for I have never been a very great politician, and really have given but little attention to these controversies that went on between the members of the party. I am not personally acquainted with many of the party leaders, and if I was called upon to enumerate the counties, I would have to enumerate three-fourths of them in the State, that I do not know of any divisions in myself; or, even if I had read of the divisions there between men that I knew nothing about, I dismissed them from my recollection as soon as I read them, and I do not remember anything about them now.

Q. I will ask you if the result of the election of 1875 was not very greatly affected by these dissensions in the republican party.—A. I think it was, sir. I believe I stated that yesterday in my testimony.

Q. Were not these dissensions among the republicans in the State carried into the canvass, and did not the contending factions criminate and recriminate upon each other in the canvass?—A. They did, sir, very bitterly.

CONTEST IN THE SECOND (MR. WELLS'S) DISTRICT.

Q. In the second district you say Wells was supported by the democrats and a considerable part of the republicans. Is not that sufficient to account for Wells's election?—A. Yes, sir. I asked Mr. Wells last night what vote he had got, and he told me nine thousand majority. If he got that majority he must have got more republican votes than his opponent, Mr. Howe, as well as the democratic vote.

Q. In the third district were there not three candidates—Money, Powers, and Little?—A. Yes, sir; there were.

Q. And did not Powers and Little both claim to be the nominees of their party?—A. They did, sir. Money beat them both put together, I think.

IN THE FOURTH (MR. SINGLETON'S) DISTRICT.

Q. In the fourth district were there not also three candidates—Niles and Warner, nominated by the republicans, and Singleton, democrat?—A. No, sir; there were not three candidates. Mr. Warner got the nomination, but it was charged that he got it by unfair means, and after he had remained in the canvass some time he withdrew, and Niles came out as his successor. Niles did not run until Warner withdrew, and I don't think Warner withdrew until he became very certain that there was not much chance for his election. Niles came out when the chances were pretty bad against him.

IN THE FIFTH (MR. HOOKER'S) DISTRICT.

Q. In the fifth district was there not great dissatisfaction at the nomination of Hill, and was not Hooker supported by leading republicans?—A. I do not know. I know that there was a tremendous contest for the nomination, but I know nothing of any dissatisfaction, or any support of Hooker by republicans, though there might have been. I was not in that district at all during that time; and I am not prepared to say whether any of the republicans supported Hooker or not.

IN THE SIXTH (MR. LYNCH'S) DISTRICT.

Q. In Mr. Lynch's district, the sixth, was there any republican opposition to Lynch?—A. I do not know of any, sir. That is at the other end of the State from that where I live.

VIOLENCE IN THE SIXTH DISTRICT.

Q. Was there any intimidation in that district to your knowledge?—A. There was some violence in that district in two counties, Amite and Claiborne.

Q. How long preceding the election?—A. I do not know, sir. There was some violence, I think, in Claiborne County on the day of the election. There were disturbances in Amite County before the election.

IN THE FIRST (MR. LAMAR'S) DISTRICT.

Q. In the first district, (Lamar's,) did you hear of any intimidation being used?—A. I do not think I did, sir. My recollection is that every county in that district is democratic, and the democrats were very wise about that; they did not make any fuss where they had a sure thing.

REPUBLICAN STATE CONVENTION OF 1875.

Q. Were you at the republican State convention last year?—A. No, sir.

Q. Do you know Mr. Lake?—A. I do, sir.

Q. What office did he hold at that time?—A. He was United States marshal of the southern district.

Q. Have you any knowledge of the proceedings that took place at that convention?—A. Well, sir, I read the proceedings. At the time that the convention met, and for a long time afterward, my wife was very ill, and finally died, and I was very little occupied in attending to public matters or anything of that kind at that time; and I cannot give very accurate information about that thing.

Q. Do you know whether there was any opposition in that convention manifested to the administration of General Grant?—A. I am not able to say whether there was or not, sir.

QUIET BEFORE THE ELECTION.

Q. You stated that everything quieted down in Mississippi about a month prior to the election.—A. I may not be accurate about the time, but for some weeks before the election I know that things were pretty quiet there—

QUESTION OF THE LEGALITY OF THE LEGISLATURE.

Q. And that the election generally was peaceable and orderly.—Has any question been raised in Mississippi about the legality of that election?—A. Well, sir, there has been a question as to the legality of the election; a question as to whether this intimidation in the State made the election illegal.

Q. Has any department of the government in Mississippi, or any authority, State or Federal, questioned the legality of the present legislature?—A. I believe not, sir. That is to say, no authority, State or Federal, nor department of the government in Mississippi has questioned the legality of the present legislature. There has been a popular charge that it was a legislature elected by intimidation; but then, while they have questioned it unofficially, they have recognized the legality of the legislature by their official intercourse with it.

Q. Have not both the judicial and executive authority of the State repeatedly recognized the legality of the legislature elected in 1875?—A. The judicial authority, the supreme court, may be considered as having recognized the legality of the legislature in this way: two of the judges of the supreme court by turns—the court consists of three judges—presided over the impeachment of Governor Ames. The chief justice of the State first presided, and then in consequence of ill-health he resigned his position, and became only an associate justice, and the person who was elected chief-justice in his place took his position as president of the court of impeachment. The officers of the State generally reported to the legislature, and the governor of the State sent his message to the legislature, and approved or vetoed its bills. I remember that I had a

conversation with Governor Ames on that subject, in which something was said about the legality of the legislature. I recollect he made the remark, which impressed me as authorizing his action in the matter, that the legislature was a legal body, because the number of republicans in the legislature and the number of democrats in the legislature, who were peacefully elected, constituted a majority of each house, and thereby were entitled to decide the question of the right of the other members to their seats. He contended, however, that a good many of the members had been illegally elected.

Q. But that that was a question which there was a legal body there to determine?—A. That there was a legal body there composed of republicans who had been elected without any improper influence, and democrats who were elected peacefully in sufficient numbers to constitute a majority of each house. I remember his making that remark to me in January, shortly after the legislature met. He did not give that as his reason for recognizing the legislature in his official capacity; but the two things coupled themselves together in my mind.

NEGRO ORGANIZATIONS.

Q. You stated yesterday that the negro population were organized in clubs which very few white persons, even of the republican party, attended, and that you had never been in attendance at one of these club-meetings yourself, supposing that they did not desire any advice from the white republicans. Do you know whether these organizations were in any way secret in their character?—A. I do not know that they were secret in their character, sir. These particular organizations, I think, were not secret in their character. There is undoubtedly among the negroes of the South a vast amount of secret understanding. They have not been brought up to that point of intelligence and virtue that when they know of crimes committed by each other they can be relied upon to expose them. They do not tell on each other when they steal, unfortunately; and for that reason it is very difficult for us to punish criminals. I do not mean to say that that is true of every one of them, but it is true, unfortunately, of the mass of them.

NEGRO ORGANIZATIONS NOT REALLY SECRET.

Q. Are they not bound together in some sort of secret organization from which any white person is excluded?—A. I do not know that it can be called an organization, except that there is naturally a herding together, and collecting together, and having all kinds of intercourse with each other, which is without doubt largely secret in its character. I do not think they organize clubs except in political times. I do not know that there is any justice in saying that they do organize themselves into secret clubs or organizations, and I believe they do not.

Q. Have you any knowledge of any such an organization as the Loyal League existing among them?—A. No, sir, I have not. I have never known anything about any Loyal League myself; not a thing.

Q. Or any political league of that nature?—A. I have no knowledge of that kind. I have no knowledge of any secret organization existing among them, except, as I have said, there is in times of political excitement, and in fact in all other times, a disposition to secrecy in their intercourse with each other, which, I suppose, is very natural, but it is deplorable.

INFLUENCE OF NATIVE WHITES AND FORMER SLAVEHOLDERS.

Q. Is it not a fact that those who have been brought up in that country, and who were formerly their masters, have more personal influence among the negroes than any other class of white persons?—A.

Aside from politics, I believe it is. However, I consider this quite doubtful, as I estimate the white man's influence, and especially the southerner's influence, with negroes at a very low figure.

Q. If the negro finds it necessary to ask for advice or counsel, is he not much more likely to go to one of that class than to any other?—A. Well, I do not know about that. They go to northern men, who are down there as politicians, a great deal for advice and counsel; and they go to southern white men, also, frequently; and, perhaps, more frequently than they do to any other class, because the southern white people are there in so much greater numbers than the northern ones.

SYMPATHY OF NEGROES WITH NORTHERN AND SOUTHERN WHITES.

Q. Is there not a stronger sympathy between the southern white people and the negroes who have been brought up on the same soil, than there is between the negroes and northern people who go down there?—A. Well, I am not able to tell you to what extent the sympathy between the negroes and the northern people down there really goes. I think the relations between the southern white people and the negroes are very friendly relations indeed. I do not think that the southern white people have any prejudice against the negroes, and I do not think the negroes have any prejudice against the southern white people, except such as grows out of politics and the efforts of both classes to get the control of the government of the country. I do not think that there is any hostility to the negroes; and I do not think that there is any feeling of violence toward the negroes, except such as grows out of political considerations.

FEARS OF THE NEGROES RESPECTING THE WHITES.

Q. Do you remember how long before the election the first act of violence took place?—A. No, sir; I do not. I do not remember the dates well. I do not remember them even in their order. But, in regard to the feeling that may exist down there, the two races look upon each other in this way: the negroes have great fear of the white people as threatening their political liberties.

Q. Their right to vote?—A. Their right to exercise in full the elective franchise, and all the powers that are incident to the elective franchise. They feel that that is a great right—a tremendous privilege to them—and that they are not very secure when the country is under the control of the white people or the democracy.

FEELINGS OF THE WHITES TOWARD THE NEGROES.

The latter look upon the negroes with horror, as supporting a body of men who the whites say are going to rob them—a band of brigands—and they have got nearly everybody down there to believe that they will rob them if they have the power. The consequence is that one party is regarded as certain to be guilty of the outlawry of bloodshed, and the other of the outlawry of thieving; and I believe the white people down there are generally inclined to think that stealing is a baser crime than killing, and that breaking a man's head is not half so mean and contemptible as cutting his purse. Not only have the southern people that sort of feeling among themselves, but that feeling extends to all the northern people that go down there, except the office-holders or those who are candidates for office. It extends even to the soldiers who are sent there to keep the peace, and, while our country is very often reproached as having Ku-klux, that keep away northern republicans, my observation shows me that when the white republicans come down there from the North they generally turn democrats, unless they are office-

holders or candidates for office; they fall under the influence of that sentiment that exists in the South, and sometimes they turn very violent Ku-klux themselves, or a least what we call Ku-klux—pretty violent fellows.

KNOWS NOTHING OF THE KU-KLUX, OR THE CLINTON DIFFICULTY.

Q. Do you know anything about any Ku-klux organization as an organization there?—A. No, sir; I do not. I have heard men say, however, that they had once belonged to a Ku-klux organization.

Q. But at present you do not know of any?—A. No, sir.

Q. Do you know how the Clinton difficulty first began?—A. I know nothing about it, except in the vaguest sort of way, from newspaper reports.

Q. Was it your understanding that violence first began with the negroes?—A. I have no personal knowledge of how that difficulty began.

I request leave to add to my testimony, in vindication of southern men who have supported the republican party, that we have done so because we felt that it was the only party which proposed in good faith to keep the pledges contained in the constitutional amendments for the protection of all classes of men, and to keep those pledges we have considered to be an obligation of honor as it is an obligation of honor to keep every other pledge of the constitution or any other compact.

I also desire to say, that what I have said about my want of influence with colored voters, does not show that I am not indebted to colored men for support. Indeed, they have often extended to me a most generous personal support; notably in a late instance where Senator Bruce started, and Mr. Lynch, the colored member of Congress, and Mr. Hill, the colored secretary of state in Mississippi, all of whom I value very highly, strongly supported a recommendation for my appointment as United States district attorney by President Grant, and succeeded in procuring such appointment.

STATEMENT OF SENATOR ALCORN.

WASHINGTON, *July* 7, 1876.

Senator J. L. ALCORN, having been summoned, made the following statement:

I have had submitted to me a copy of Governor Ames's testimony as taken before the committee in April last. I desire to make answer to several statements which he has seen proper to make in reply to interrogatories propounded to him.

THE FRIAR'S POINT DIFFICULTY.

On page 26 of his testimony, referring to the riot in October last at Friar's Point, Governor Ames makes the statement that the republicans, headed by Sheriff John Brown, were on one side, and the democrats, led by General Chalmers, Mr. Reid, and myself, were on the other side. To this I answer, that the Reid to whom Governor Ames refers was his supporter against me in the canvass for governor in 1873, and had continued to support his administration up to the time of the riot referred to. General Chalmers, the other gentleman named, wrote a letter during the canvass between Governor Ames, and myself, which was published in one or more newspapers, in which he avowed himself as a supporter of Governor Ames, on the plea, it is true, that he believed the best means that could be used by the democrats in breaking up the republican party in the State of Mississippi was to elect Ames as governor. In addition to this, General Chalmers urged that the democrats had more to hope for from Governor Ames than from myself.

SHERIFF BROWN.

On the same page Governor Ames states that, when he ran for governor, John Brown, the sheriff, carried my county against me almost unanimously, and undertakes to give the majority in his favor. Without having the figures before me, I do not hesitate to say that Governor Ames is altogether in error with regard to the vote of that county, for, while his majority was very considerable, it was not so great by several hundred votes as he represents it to be.

He states also, on the same page, that it was reported that I had said I was going to carry my own county, and that his friends and supporters should not carry it. I made no such statement; made but one speech in the county during the canvass, and certainly had no expectation of carrying that county.

SENATOR ALCORN'S SON.

He also makes the statement, on the same page, that my own son was associated with Mr. Brown as sheriff, and supported Brown in the affair at Friar's Point. The statement that my son was officially associated with Brown as sheriff up to or at any time previous to the riot is not true; nor is it true that my son acted in support of Brown in the affair at Friar's Point, or that he held any office in the county at that time.

CORRECTION OF A TELEGRAPHIC MESSAGE.

On page 27 of the testimony of Governor Ames, a portion of my dispatch from Friar's Point to the New York Tribune, dated October 11, 1875, in which I give a summary of the facts inducing the Friar's Point trouble, is embraced in the record. Governor Ames convicts the dispatch of an error, which he characterizes as a "gross mistake." In the

third line of the dispatch, as printed in the record, I am made to represent Governor Ames as having been the bondsman of Brown, the sheriff. The dispatch was written by me at Friar's Point, and sent to Helena, Ark., to be transmitted. The statement was that Brown's bond was executed by *the friends of Ames.* In the third line of the dispatch, as it appears in the record, the words "the friends of" should be inserted between the words "by" and "Ames." The dispatch would then read as I wrote it, and as it was by me sent to the telegraph office.

REPUBLICAN DIVISIONS IN REGARD TO THE SHERIFFALTY.

On page 28 of his testimony, Governor Ames, in answer to the question as to what was "his [my] object in resorting to violence," states, "As I understand, it was to prevent the colored people coming in and making their nominations, or holding meetings." In reference to this, I state the fact to be that I did not in any way oppose the convention of the colored people. I had nothing to say with regard to their meetings or their nominations. They had held their convention and made their nominations before the trouble culminated. I was not present at their convention, had nothing to do with it in any way, and I do not remember to have made any remarks touching what they might do. After their convention had been held, and some dissatisfaction had arisen among those who were present seeking nominations, I was inquired of by a friend in Friar's Point as to whether I would support Judge Reid as a candidate for sheriff in opposition to Brown, the nominee of the colored people. I answered that, while I was opposed to Reid, he having been the supporter of Ames all the while, and having co-operated with Brown for the whole period of his sheriffalty, and having been one of his bondsmen, I held Reid in about the same respect that I held Brown, but that there was one distinctive difference which would cause me to support Reid rather than Brown; that while Reid might not manage the office of sheriff any more satisfactorily than Brown, still I thought he would not be ready to incite the colored people to violence and outrage, and on this account I would support him. This occurred in the evening, after the the republican convention had met and placed its ticket in the field. In the course of an hour, or perhaps more, there was dropped at my office-door a poster inviting the republicans who were dissatisfied with the nominations of the day to meet at the court-house in the evening at an hour named for the purpose of considering the question of bringing out another ticket, and Judge Reid and others were announced as speakers. As a matter of curiosity, I went to the court-house that evening, and found a large crowd assembled there. Several speeches were made. Judge Reid announced himself as a republican candidate for the office of sheriff at the ensuing election; there was an announcement also for the office of chancery clerk and also for the office of circuit clerk, the one by a white man and the other by a very respectable colored man. The speakers all avowed themselves republicans and gave their reasons as to why they would not support Brown's ticket.

POLITICAL ACTION OF SENATOR ALCORN.

After they had concluded, I was called upon to address the meeting. At first I refused to do so, but the clamor was so general that I found myself unable to escape from the court-house without saying something. I took the stand and entered upon a review of the political condition of affairs in Coahoma County. I embraced Brown, the sheriff, in my criticisms; stated the fact to be that he had plundered the State, in one settlement with the auditor of public accounts, of $4,725, which he then

had in his pocket and which he should be made to disgorge; that he had also attempted to perpetrate a fraud on the county treasurer amounting to about $7,000, and had only been prevented from accomplishing his purpose by the treasurer; that, having been detected in his frauds, he now sought to palm off on the people of the county the ticket which he had that day nominated in order that he could hold the entire control of things in his own hands and swindle the tax-payers at pleasure; that he had imposed upon the people ignorant and vicious officials, and had that day secured the nomination of a stranger, a colored man by the name of Smith, who was already in the enjoyment of the office of senator from that district, also was county superintendent of education with a salary of $900 a year, and in addition had been appointed by Governor Ames, without bond, as a special agent to collect arrears of taxes, and that now Brown desired to place this man in both offices—chancery and circuit clerk—where the sole power would be vested in him of approving the official bonds of the officers of the county and sole possession of the records and papers; that thus the ring would be complete, and the county entirely at the mercy of Brown and his followers. I characterized, in as strong terms as I could use, the ignorance and the outrage of the public officials of the county. I recited the fact that Brown had been making incendiary speeches to the negroes through the county, in which he had been urging them to arm themselves for the struggle which he warned them was before them; that the white people intended to assault, to massacre, and murder them. I denounced these speeches of Brown's as false within his own knowledge, and that they were made for the purpose of stirring the colored people to that violence that would bring about arson and bloodshed. After I had spoken in this strain for some time, Brown sought to interrupt me, but I refused to hear what he had to say. He took his seat, and in sitting down drew his pistol and placed it across his knees. This I did not see, but it was reported to me soon after by witnesses who sat near him, and whom I believe to be reliable. I finished my speech and went home.

CAUSE OF THE RIOT.

It was soon reported to me that Brown had said that he intended to speak on the following Monday, (this being Saturday,) and intended to denounce me as he had not heretofore done. He had been in the habit of denouncing me with all the vulgarity to him possible. I had made up my mind that I would bear it no longer, and replied, to those who informed me of Brown's intention, that I would be present when he made his speech on Monday. Several of my friends came to me and endeavored to induce me to reconsider my purpose and not to go to the court-house on the occasion of Brown's proposed speech, but I declared my purpose to do so at all hazards. Brown was advised, as I was informed, of my purpose to attend his meeting, and he sent messengers through the country to bring an armed force to the town for the purpose, as he said, of protecting him in his right to speak. The colored people of the county had kept up their military organizations, and these could be readily brought to a given point. Many of the citizens urged him not to bring armed negroes to the town, that there was no necessity for this, and that it might induce riot. Brown agreed that he would not speak on Monday, but announced his intention of speaking on Tuesday. He gave assurances to the people that no armed negroes would be present on the occasion. I had had no consultation with any white people or others upon the subject.

ARMED MEN APPROACHING THE TOWN.

On the Tuesday following, information was brought to Friar's Point that a large body of armed negroes was advancing upon the town. Some of the citizens approached Brown upon the subject and he denied they were coming, but carriers soon arrived with the statement that several hundred negroes, well armed, were advancing, and had already approached within three or four miles of the town; that they were threatening to sack and burn the town. Many of the people were panic-stricken. Several of them came to me to ask my counsel as to what had best be done; that if we remained in the town we would certainly be murdered; that the few citizens of the town with all the help we could get would not number more than sixty or seventy men; that this force would be altogether insufficient for the defense of the place, and we only had such arms as we could suddenly gather together. My reply was, "Let those who are disposed to leave, go at once; for myself, I propose to stay with such persons as will remain and defend the town against the attack of Brown and his associates." I went to the court house and found Brown in conversation with some citizens. In my presence he stated that he had sent messengers to meet the armed force that was coming to the town to disperse and send it back. Upon this assurance, for I believed his statement to be true, knowing his control over the colored people, I had no doubt of his ability to induce their return. I returned to my office, some two hundred yards from the court-house, and resumed my business. I had been there but fifteen or twenty minutes when a messenger came to me announcing that the head of the negro column was already in sight. I seized my "double-barrel shot-gun," ran to the court-house, and there did what I could in assisting to organize the forty or fifty men that were ready to fall into line for the defense of the town.

THEY ADVANCE, RETREAT, AND AGAIN RALLY.

The head of the negro column was met at the border of the town by a courier sent by General Chalmers urging the negroes to not enter the town, but return. The parley was going on when I reached the court-house. Brown was there and was evidently very active in endeavoring to have the negroes return; but, while I could not hear what the negro officers in command said, I saw from their actions that they were angry and not disposed to disperse. The negro column was thoroughly armed and mostly mounted.

I said to General Chalmers, who had been appointed to the command, "Send a messenger to their column and tell them to disperse within fifteen minutes, or you will charge upon them." This message General Chalmers sent. It was not more than ten or fifteen minutes before the column countermarched and left the town, but rallied in a strong position about a mile south at a bridge. Our information was that they were rapidly re-enforcing and that their purpose was to return. After a short consultation it was agreed that they should be dispersed. In the mean time recruits of white men had arrived from the country and we had about a hundred men with such arms as they could gather up ready for the occasion.

THE WHITES ATTACK THEM.

It was suggested after a brief conference that by sending twenty-five or thirty men in the rear of the negroes in order to make a diversion, and by charging them in front and firing over their heads, they could be dispersed without the loss of a life. The movement was made and it was successful; the negroes ran pell-mell and no one was killed or

wounded on either side. I do not think there would have been a single man killed as the result of that riot had it not been that some colored men in the rear of the column ambushed and killed a respectable young man by the name of Scott who was attending to his daily business, and who, if he had heard of the trouble, was certainly taking no part in it. When the news reached the advancing whites that Scott had been assassinated, a detachment was sent to charge the field in which he had been ambushed.

RESULT OF THE FIGHT.

Nine negroes were dislodged, one of whom was killed, six were taken prisoners, and two escaped. The prisoners were sent to the Friar's Point jail, detained there a day or two, and were then turned out on their parole that they would go home and behave themselves. In addition to this, on the next day four negroes were killed, not by any of the people of Friar's Point or of that county, I believe, but by some men who had come in from adjoining counties. I considered their taking off as so many outrages, and if the perpetrators of the crime could have been detected by the men from Friar's Point and the county in which I live who were under arms, they would have been summarily dealt with; for while all the negroes who were killed, save one, had doubtless taken more or less part in the riot, still they were not held to be, by thinking men, individually responsible; all sensible men believed they had been incited to what they did by Brown and his immediate followers.

I think I risk nothing in stating the maximum of the killed in the Friar's Point riot, and growing out of that riot, at two white men, one assassinated by the negroes, one who shot himself accidentally, and the killing of five colored men, one killed as I have described, who was in ambush, and four killed by men from adjoining counties.

The election which succeeded was peaceable. The republicans carried the county by a large majority.

NO PERSONAL KNOWLEDGE OF VIOLENCE.

I have no personal knowledge of any violence in Mississippi during the year 1875, except that described in this statement.

I have not visited the capital of the State since the election of Ames as governor of the State. His election struck me down, and I withdrew from political controversy. I expressed the hope that his administration might prove to be, not as I had predicted, a curse, but a blessing to Mississippi. This was, I think, the hope of all good citizens. The people appeared to accept his induction to office with great cordiality. His inaugural address was well chosen, and filled me with hope—hope against my judgment. Of his administration I do not wish to speak. The evil that he has done continues with us. He, I believe, has left the State, and I trust, permanently so.

JOSEPH M. BYNUM—ALCORN COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

JOSEPH M. BYNUM sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Alcorn County, in the eastern part of the State.

Q. How long have you lived there?—A. I have lived there ever since 1859—about fifteen years.

Q. What is your profession or occupation?—A. I am a physician by profession; but I have not practiced medicine for the last ten years.

Q. Have you been in any business?—A. Yes, sir; I am a merchant.

Q. In what town do you live?—A. In Rienzi, on the line between Prentiss and Alcorn Counties; a county bordering on Tennessee.

Q. Are you a native of Mississippi?—A. I am a native of North Carolina.

Q. You have been in this State how long?—A. Fifteen years. I was raised in North Carolina and am a graduate of the University of Pennsylvania.

INTIMIDATION IN ALCORN COUNTY.

Q. Have you such knowledge of the last political canvass in Alcorn County that you can state whether there was anything in the nature of intimidation or threats used by anybody?—A. There was a good deal of uneasiness felt there by the colored population, and they were uncertain of their voting or not. There was no display of arms or military companies, but there was a good many threats through the county that the laborers should not work without they voted a certain ticket; or, if they did vote the republican ticket, that they should not be employed. The principal intimidation was of that kind.

Q. Were any of these threats made within your personal knowledge or under your observation?—A. Not made to me; only reported to me by other parties. I did not take a very great interest in the election until a few days before the election, when the colored people said that they were threatened with not being allowed to stay in the country there and cultivate the land without they voted a certain ticket; and on the day of the election I took a considerable interest in it on that account, and told them that I thought they should have a fair vote.

Q. Without they voted a certain ticket; which ticket do you mean?—A. If they voted the republican ticket that they should not have the land there; that was a threat from the farmers, and pretty generally understood, I believe.

Q. Did you hear of all these threats from negroes exclusively, or from white persons as well?—A. I heard them from both. Some of the colored people came to me, and told me that the owners of the land said that they should not work with them any more. I told them that that was all talk; that it never would be attempted; but still they felt a great deal of uneasiness about it, and had an idea that they would carry it into effect.

Q. Do you know whether there were any cases where such threats were carried into effect?—A. I don't. I think we are scarce of labor in the country, and everybody was anxious to get all the labor they could after the election.

Q. Do you know anything about political clubs among the democrats or republicans?

DEMOCRATIC PROTECTION AGAINST REPUBLICAN INFLUENCE.

A. There were no republican clubs in our county. There was a democratic club in our town that met frequently, and made a considerable display of music, badges, and marching and firing, and everything of that sort, which produced a good deal of uneasiness among the colored people, and on the day of the election that club appointed two or three men to see that there was no influence used over the black people to influence them to vote the republican ticket; so these members appointed by the club said.

Q. Did you understand what these men were to do to prevent such influence on the black people?—A. I know what they did do.

Q. That is what we want to know.—A. In my warehouse I had a back room and the republican tickets were sent to me on the night before the election, and I went there to make up these tickets. These men appointed by the club, with their badges on, came in there and sat around and said that they were appointed by the democratic club to prevent any man from influencing the colored men to vote the republican ticket. I told them that I was running this thing myself and intended to make out the tickets for them and to fix them up. They said that was just exactly what they were there to prevent, that they were there for that purpose; and crowded into the room, and I went out on the street and they followed me all round town and back, and sat right beside me; and some had clubs and some had not. These things occurred there on election-day.

Q. Were any fire-arms exhibited or used?—A. I never saw any.

Q. Were you a candidate for any office?—A. No, sir.

Q. Did you ever hold any office in the county?

CREED OF A CONFEDERATE SOLDIER.

A. I never held any office in the county. I was in the southern army, but I believed when the surrender took place at Appomattox that the fight was over and that we better fall into line, and take the best we could get.

RELATIVE PROPORTION OF BLACK AND WHITE VOTERS.

By Mr. BAYARD:

Q. As a matter of fact I believe the white population of your county very largely outnumbers the black?—A. Yes, sir.

Q. I observe the white population is 7,666, and the black 2,768, so that this has always been a democratic county?—A. It has always been a democratic county; largely democratic.

WILLIAM B. REDMOND—AMITE COUNTY.

JACKSON, MISS., *June* 9, 1876.

WILLIAM B. REDMOND sworn and examined.

RECORD OF THE WITNESS.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I am residing in McComb City at present.

Q. What county?—A. Pike County.

Q. What is your occupation?—A. I am deputy revenue collector. I am also keeping a hotel there.

Q. How long have you resided there?—A. For about five or six months.

Q. Previous to that time where did you reside?—A. In Liberty, Amite County.

Q. How long did you reside in Amite County?—A. Six years.

Q. Are you a native of the State?—A. A native of Louisiana—New Orleans.

Q. How long have you resided in Mississippi?—A. Six years and a half.

Q. Did you take any part personally in the late war?—A. Yes, sir.

Q. On which side?—A. In the confederate army.

Q. In what capacity?—A. As a private.

THE DEMOCRATS IN AMITE COUNTY.

Q. If you have any knowledge of political affairs in Amite County during the canvass of 1875, or during the election of that year, will you state it to the committee?—A. About six weeks or two months prior to the election there was an organization effected by what was called the democratic clubs in the different districts—precincts—and from each of those clubs there were ten delegates sent to Liberty, the county-seat, once a week, every Monday, to have a meeting of the central committee; and the action of these parties there on those occasions was such as to arouse the fear of every man in the county.

Q. State what was done at those meetings.—A. The propriety of tarring and feathering and hanging us was discussed.

By Mr. McMILLAN:

Q. Whom do you mean by "us?"—A. The leading republicans in the county.

By the CHAIRMAN:

Q. How many clubs were represented?—A. Five.

Q. Ten from each club?—A. Ten from each club.

Q. Anything that occurred, of which you have knowledge, you can state to the committee.—A. As I said, on Monday, when those clubs met, there was a general fear and feeling of dread that pervaded the whole community, and it was caused from the facts that I have stated.

QUIET AT THE ELECTION.

On the day of the election everything went off very quietly where I was, at Liberty, the county-seat, with the exception that now and then I heard remarks of this kind, "The radicals can't beat us to-day." They said that they would run us out of the county. But, as I have said, everything was calm and quiet at the polls as I ever saw it in my life.

THE NIGHT AFTER ELECTION.

About ten or twelve o'clock that night I noticed an unusual number of white men in town, and I spoke to Captain Parker, the sheriff of the county, about it; that these men were probably here for some purpose or other, and I did not like the manner in which they acted. I proposed to consult H. P. Hurst, the brigadier-general in that district, as to what steps we would take.

It was some time before we could find him, and we heard then that he was looking for us.

We met him a short time afterward, and he told us he had just come from Colonel Johns' office—a man of some prominence as a lawyer, and a candidate on the democratic ticket; a man very much esteemed by republicans as well as democrats in the county. He had had a consultation with Johns, and Johns had requested him to see us—that is, Parker, Barrett, and myself. He advised us to leave the county immediately. He said he could not be responsible for what would take place on the morrow; that he was satisfied the clubs would come together, and that blood would be shed if we remained.

I asked him why in the world he included me; that I was not a candidate for office, and that I had not been a candidate for any office in the county, except for member of the board of supervisors; that I was a Federal office-holder, and they would not think of interfering

with me. He replied, "They have no more respect for you in your position than they have for Parker in his."

I asked him what his reasons were for saying so. He said that it was based upon knowledge he had got at Rose Hill, one of the boxes in the county; that he had heard there that I would be treated just as the others were, and that they were determined that they would get rid of me entirely.

I asked him if he was satisfied of the truth of what he had said, and he said he was perfectly satisfied. He is a man of undoubted courage, and has the reputation of being as brave a man as there is in the district, and that is the reason he received his appointment. At about half past one, Parker, Barrett, and myself left, accompanied by Hurst.

ACTION OF ARMED MEN.

I do not know the exact number of men that appeared there, but there were between three and four hundred men, all armed. They formed around the court-house as thoroughly organized as an army, and charged on the court-house. They said they came there to get rid of carpet-baggers and scallawags. My office was in the court-house. The office was entered by these men.

At about five o'clock they went to my home and called upon my wife and said they were expecting me back that night with negroes and soldiers, and if she wanted any protection they would let her have it. She asked them why she wanted any protection; that she felt perfectly safe there; she did not think they were ungentlemanly enough to assail a woman. They guarded the place and guarded her for about three weeks anyway.

THE WITNESS TWICE WARNED TO LEAVE.

I moved to Summit. I went out to my home one night; started about two o'clock and arrived there about daylight, and the next night left about two and got to Summit about daylight. We went to board with a family named Bradshaw, in Summit, a merchant and an old friend friend of mine.

I presumed at that time that the excitement would be only temporary in Amite County, and we thought to shortly return. About three weeks or a month after I took up my abode there, this man Bradshaw, the gentleman I was boarding with, went down town about seven o'clock in the morning; and about half past eight I received a note from him saying if he was me he would stay at home during the day; that there were a number of men there threatening vengeance against me. I took his advice and remained at home that day. About nine that night he came back, and he asked me to ask my wife to leave the room for a few minutes. I did so, and he told me that I would have to leave his house. I asked him why. He said this: "You remember the note I sent you to stay at home?" I said, "Yes." He says, "These men have been threatening me about your living here." I said, "Well, you propose to have me leave to protect yourself?" He said, "Yes." I told him I would certainly leave; that I did not want to implicate him in any of my troubles. I went over to Mr. Bridges, a prominent democrat and a friend of mine, as I had every reason to believe from what I had seen. He being a prominent man I wished to consult him before I left as to what steps I would take. My wife went over for him, and he sent word he was coming over. About this time I saw a number of men coming up the street, yelling, with torches or lanterns, about two hundred yards off. When Mr. Bridges came, I said, "I have sent for you. I do not know as you have heard of the trouble, but I understand there are a number of armed men coming up

here, and I want you to advise with me what steps to take." He says, "For God's sake, leave here immediately."

I said to Mr. Bridges, "I don't know. I never was used to doing anything of that kind. I am compelled to leave here in the night-time, and I know nothing of the suburbs of the town at all, and I have no idea in the world where I shall go." I asked him to accompany me. He went with me as far as from here to the door and left me. I went on to McComb City and remained that night. The next day I returned to Summit. I was there but a few minutes when the mayor of the town came to me and said there was a good deal of feeling toward me. I said I had heard there was a good deal of feeling here against me, but that I was not prepared to leave the town. I said, "I have business in the town." He said, "I do not know how it will be, but I fear there will be trouble." I told him I was going to remain; that I was there in the discharge of my duties as a Federal officer, and if they disturbed me I was going to ask for Federal troops; that I did not propose to be hounded about like a dog. And he said he would do everything he could to protect me. He was willing to consult General Hurst, the brigadier-general of the division. Since then I have lived in McComb City. I was there about half an hour, and was just finishing my dinner, when two or three men came up to me, and one of them was an uncle of this man Hurst; he insulted me very grossly.

By Mr. BAYARD:

Q. Give his name.—A. Dr. Tillotson. I turned to Hurst and said, "This man is a relative of yours; you seem to be the only friend I have here, and I do not want to hurt your feelings by striking him; but I will not submit to these things any longer;" that I wanted him to stop it; that he was mayor of the town, and he should preserve order. And he took the man and led him out of the house. In the mean time a crowd gathered there of about fifteen or twenty men; and General Cain, the marshal, was standing there, and seemed to take no part. I said to him, "Look here, General, you can see just as far as I can what this means." He said, "Yes; they intend to get rid of you, Redmond; and I tell you right here now I cannot protect you;" and he turned to one of his officers standing beside him, and said, "What can we do? there are only two of us." At this time it seemed as though the whole town was standing about fifty yards from where we were. These men had their pistols in their hands. I had two revolvers, one in each hand, and said, "If any one advances on me I will certainly kill him." I went off then in company with Hurst. I said, "Hurst, you see it is impossible for me to get along here, and you are willing to admit now that you cannot do anything yourself." He said, "Yes, I am perfectly willing to admit it." I said, "If I telegraph for troops will you indorse my request?" He said, "I will do so with pleasure." I then telegraphed to Shaughnessy, the collector. Hurst sent a dispatch—"By all means grant Redmond's request." Shaughnessy was in Jackson. After I had telegraphed, I went down to the store of a gentleman that had shown me a good many favors and courtesies, a merchant in town there of the firm name of Levi Moyse & Co.

I told him I intended to remain in his store for a short time. There was an up-stairs to the store and an inner stairway leading up to it; and at the head of the stair there was a very heavy post, about a foot square, I presume. I saw these men were coming down the street in the direction I had taken, and I turned into this store on this account. I went to the head of the stairs, and I said, "If they ask you if I am up here, you tell them that I am." In the mean time I had armed myself with a

Winchester rifle. I was standing at the head of the stairs, and I knew that the only entrance into the room was by that stairway, and that I could defend myself against almost any number of men coming up the stairs. About five minutes afterward he came to the foot of the stairs—in the mean time he had closed the store—and called me, and I went down. He said, "They know you are here." I said, "I know that.' He said, "Well, I cannot permit you to remain here, Redmond." I said, "Why not?" He said, "They are going to come here, anyway." I said, "If it is prejudicial to your interests to have me remain, I shall certainly leave your store, but I want you to let them in the front way." He said, "I will open the back door, and if I was you I should go to the woods." I took his advice, went into the woods, and remained there until about 9 o'clock that night, when I came back to the edge of the town, and I sent a man to Hurst, who was at Judge Smiley's house; and he came out to see me, and brought with him a dispatch, and the dispatch was from Shaughnessy, requesting me to come to Jackson immediately. I asked him what he thought about it. He said, "I would advise you to leave here, but I am afraid you will have some trouble getting onto the train, for these men are right on the suburbs of the town now. He said that he would go with me to the train, and do everything he could to protect me and see me on the train safely. We went to the depot, and stood in the shade of the trees until the train came along, when we saw no one at the train at all, and I do not know as I had any reason to anticipate trouble; but I got on the train and came to Jackson, and saw Shaughnessy; and, after some consultation with him, he sent dispatches, which I presume you have seen, requesting that troops be furnished to me.

By Mr. McMILLAN:

Q. Sent dispatches where to?—A. To Washington to the Commissioner of Internal Revenue.

By the CHAIRMAN:

Q. What statement, if any, was given to you as to the cause of this pursuit of you which you describe?—A. There was no statement in the world, that I have heard of, until I appeared before the investigating committee that was sent down by the legislature. I forgot to say that just before these men came down there Tom Garner, one of the aldermen of the town, who frequently in the absence of Hurst, who was very frequently absent, acted as mayor himsel—Moses Jackson, the president of the Central Club, which was, as I have said, composed of ten members from each of the five clubs of the county, was in town, and asked Tom Garner if I was living there. He said I was. And he said, "Do the people of Summit propose to let Redmond remain there?" and Garner said that they never heard aught against Redmond, and that he was a Federal officer. Jackson then told Garner that if the people of Summit did not drive him away from there, it was the avowed purpose of the people of Amite County to do so. Garner said, "Redmond is a Federal officer, you know, and you had better handle a matter of that kind with a great deal of care." Jackson said, "That makes no difference what he is; he shall not remain in this county."

Q. Were any steps taken against other republicans in the county?—A. Parker, the sheriff, Dr. F. Barrett, the county superintendent of education—

Q. What happened in relation to them?—A. I do not know, sir.—I have been living there about six years, and my name was never brought before the grand jury, and I never had a criminal suit or a suit of any kind.

STATE OFFICES HELD BY WITNESS.

When I first came to the State it was as a registrar in 1869. It was required at that time that on each registration board there should be two republicans and one democrat. I was living in New Orleans at that time. I was sitting in a gentleman's office one day when I was introduced to this gentleman, Parker, and he said he had two republicans on the board and wanted a democrat, and asked me my politics. I said I had never taken any part in politics, but that I presumed that I was a democrat. He said, "Well, you are just the man that I want." I went up there intending to remain two or three weeks, I presume. While there Mr. Yeandle, the circuit court clerk, told me that if I would be his deputy he should like to have me remain, and would give me employment. I remained some two or three weeks, when General Ames, who was then provisional governor of the State, appointed me assessor. I had avowed no politics in the world, and had taken no part in politics; had never opened my mouth with reference to politics, and knew nothing of it at the time; and the papers began wholesale abuse of me on account of my accepting a position at the hands of the republican administration. The editor of one of the papers that abused me was himself at that time seeking an appointment, and not getting it he abused me from chagrin more than anything else.

OSTRACISED AND DENOUNCED FOR ACCEPTING STATE OFFICE.

Immediately after I accepted the office of assessor I was shunned by everybody, and such a wholesale abuse of a man I never heard of in my life before on account of accepting a position, and I gradually became convinced of the error of what little politics I had, on account of the manner in which republicans were treated in the State. That did a great deal toward making me a republican, more than anything else could ever have done; and I soon became a pronounced republican. I was afterward appointed by Governor Alcorn to the same position as assessor. Every one of the members of the board of supervisors, or rather the board of police, as it was at that time, were democrats that we had recommended. There was no republican in the county that we knew of that would fill the position with any credit to the place at all. We desired to show them that we wished to act in all justice to them; and a few democrats were appointed, most of them leading men in the county, and large property-holders. My acts were all subject to the approval of this board of supervisors, or board of police as it was termed at that time. They had the appointment of our grand jury in the county.

I state this for the reason that you asked me if there were any reasons stated for pursuing me in this manner; but I never heard of it until I was before that investigating committee; and while there I heard that Lawrence Jackson testified that my character was very bad there, and it was on account of the fact that I had raised the land of the people in valuation. But that was not within my province at all; I had no power to do anything of the sort, and all I could do was to recommend up to the board of supervisors, who are made a board of equalization by the legislature, and required to go over the whole assessments and equalize them in the different counties. On this grand jury appointed by this board of supervisors nine or ten were white men, and they were inclined to take every advantage that they could; and if they could have had me brought before the grand jury they would have done it; and I never had heard a word of it in my life until I was brought before this investigating committee of the legislature. I am

satisfied that the members of that board of supervisors would testify to the fact that my rolls were made out in accordance with their orders.

Q. Why did you remove from Summit to McComb City?—A. For the simple reason that I saw that it would be a continual trouble for me to remain there, and when troops were sent to me they were sent to McComb City. There were no barracks in Summit for a camp for the troops, and no buildings for them to go into winter quarters at all; but they were located at McComb City by General Augur's command.

Q. Are the troops still there?—A. They are.

Q. Do you consider them necessary there?—A. I do, sir. I think it would be impossible for me to return to Amite County with any safety to myself unless I was accompanied by troops.

Q. Where are Messrs. Parker and Barrett?—A. Barrett is in Jackson and Parker in New Orleans.

Q. Do you know what reason, if any, was assigned for the hostility to Barrett and Parker?—A. No, sir.

THREATS TO EXPEL SUCCESSFUL REPUBLICAN CANDIDATES.

In conversation with one of these men, a member of this club, Wesley McElwe, the question was put to him by H. L. Safford or myself, what his club intended to do, what they proposed to do, if the republican candidates were elected by a large majority, whether they would permit them to remain there. He said it was the avowed purpose of the clubs, whether they were elected or not, to make them leave the county.

VOTE OF AMITE COUNTY NOT COUNTED.

From all I can learn I am satisfied of the fact that the vote of Amite County was never counted in the last election.

Q. What reason have you for believing that it has never been counted?—A. Because a gentleman who was on the board told me so himself and testified to that fact before the grand jury, so I learned.

Q. What was his name?—A. N. Garron, living at Liberty. He was assessor of the county.

Q. What were his opinions, politically?—A. He was a very conservative man; I have always doubted what his politics were. He has been neither a democrat nor a republican, in my estimation.

By Mr. McMILLAN:

Q. What election do you refer to?—A. The election that took place on the 2d of November, 1875.

OBJECT OF THE ARMED DEMOCRATIC CLUBS.

By the CHAIRMAN:

Q. Do you know anything of those organizations that you speak of—these clubs—as to their purpose or the nature of the organization?—A. I am satisfied that the nature of the organization is this: That Mississippians and democrats shall rule Mississippi at all hazards. That is what the nature of the organization that was in our county certainly was. They were determined to carry the election in any way in the world that they could.

Q. Do you know anything of their being armed or otherwise?—A. Yes, sir; I have seen side-arms. They never met there for those two months prior to the election without they all had side-arms, every one of them that I saw. On the day succeeding the election, from what was told me, they had not only side-arms but shot-guns and rifles as well.

PRACTICE OF CARRYING ARMS IN MISSISSIPPI.

Q. Do the people of Mississippi generally carry side-arms?—A. They do about election times, always.

Q. Has it been their custom for many years?—A. No, sir; two years ago at the election I never saw any better feeling existing in my life than existed in Amite County.

ACTION OF THE EXTREME DEMOCRATS.

I will say to the credit of the people of that county that as good feeling existed there as in any county in the North. On that occasion two-thirds of the white men in the county voted for the very man whom they have now run out of the county. I am satisfied that had it not been for what took place in this [Hinds] county and in Vicksburg and Yazoo County, no trouble would have taken place in Amite County. After what happened in these other counties a few bad men in Amite County organized and forced the other men, the democrats who desired to act with clemency, moderation, and justice, into it. Col. B. F. Johns, a conservative, who was nominated for the legislature on the democratic ticket, was requested to withdraw, and he stated himself that he would certainly do so if he was compelled to do one thing or the other; that he would certainly withdraw in preference to taking any part in this programme of the extreme democrats. And he took no part in this canvass at all.

Q. Was he elected this year?—A. He was elected this year; he was a candidate at that time. He was a colonel in the confederate army, and has always been a democrat all his life, but a very just and good man.

Q. If there is anything further relating to the subject, you can state it.—A. I presume if I desire certain parties summoned in Amite and Pike Counties the committee would do so. I would like to have the gentlemen that I have spoken of—Mr. Bradshaw, Mr. Garner, Captain Parker, Dr. Barrett, Mr. Safford, who is United States commissioner down there, and others. It is just the same state of affairs that existed in South Carolina, when Major Merrill was sent there, that exists in Amite and Wilkinson Counties to-day.

A MURDERER OF NEGROES DEFIES THE OFFICERS.

Q. Were you in South Carolina?—A. No, sir. I speak only from what I have seen and heard. I know that there was a colored man killed in his bed one night with his wife. There was a warrant gotten out for the man who was supposed to have done the murder. There was a convention to be held one Saturday in the neighborhood in which the man who did the killing lived.

By Mr. CAMERON:

Q. By which party?—A. A republican convention. A number of us were going to be there to this convention, and there were between sixty and one hundred men, all armed to the teeth, who assembled at this place called Rose Hill, and this man was running them. After the deputy sheriff arrived there this man who had done the killing rode up to him and told him that his name was John Jackson, and that he understood he had a warrant for his arrest, and he dared him to arrest him; and he made the remark, "You black son-of-a-bitch! I have a good mind to kill you any way." Some of the members of the democratic club, who had promised protection to the deputy sheriff, then interfered and he went on through this camp.

NO ARMED COLORED REPUBLICANS.

They reported that there was to be a negro rising; but there was not a negro at the convention that had a gun or arm of any kind in the world. Two or three joined the party with guns, and they were sent back by Captain Parker and told that no one of them could come there with guns; that there should be no possible chance for it to be said that the negroes had done it, if there was any shooting at the convention. I never saw a more peaceable set of men than they have been ever since I have been in the county.

EMPLOYERS HELD RESPONSIBLE FOR LABORERS.

There were resolutions published in the papers that were passed at these conventions, which met every Monday in Liberty, and they kept on their meetings for some time after the election. I have these resolutions, and will forward a copy of them to the committee. They made it obligatory upon the employers—made them responsible for the acts of their employés.

Mr. BAYARD. You better let the resolutions speak for themselves.

The WITNESS. Yes, sir; they were published in nearly all of the papers of the State about the 1st of December, and were commented upon very largely by the republican press.

WHITES AND BLACKS IN AMITE COUNTY.

By Mr. CAMERON:

Q. How does the number of whites in Amite County compare with the blacks?—A. There are about 300 more blacks than whites.

WHITE REPUBLICANS OVERAWED.

By the CHAIRMAN:

Q. How is the county divided politically with reference to race?—A. I think there are a great many white people there who at heart are republicans, but they dare not avow it. I am satisfied that if it had not been for the fear that existed down there from these clubs, a number of white men would have voted the republican ticket. I think they would have supported the white candidates on the republican ticket, but I do not think that many of them would have supported the black candidates.

BLACK DEMOCRATS AND WHITE REPUBLICANS.

Q. How are the black men in politics?—A. I presume there are one hundred colored men in the county who would have voted the democratic ticket, and about the same number of white men who would have voted the republican ticket.

Q. Do you know anything of the other counties except Amite, of your own personal knowledge?—A. No, sir.

By Mr. BAYARD:

Q. What was the first occasion on which you were assaulted or threatened?—A. It was at Summit.

Q. When?—A. I cannot remember the date exactly. It was about the 22d or 23d of December.

Q. Had you ever been assaulted or intimidated prior to the election of '75?—A. No, sir.

TREATMENT OF NATIVE REPUBLICANS BY THE DEMOCRATS.

Q. Always have been treated civilly and kindly?—A. I cannot say that I had always been treated civilly and kindly. I had been treated as I demanded treatment; that is all.

Q. Had that treatment been fair and just up to that time?—A. Up to

two or three months prior to the election I was treated very kindly by everybody, but after that the men who had been the most intimate with me would not speak to me on the street.

Q. Do you know of any reason for this sudden change in popular sentiment toward you there?—A. No; it was not toward me in particular; it was toward nearly every republican in the State that I know of. I am satisfied that the cause of the feeling toward us was the fact that they knew that they could get rid of us, from the fact that this course had been pursued in other counties successfully.

Q. That is not exactly the answer to my question, which was: Do you know of any reason for this sudden change in popular sentiment toward you there?—A. My reply is only this: The fact that they were convinced that they had the power to get rid of me without being troubled themselves for it afterward.

Q. Do you know or have you any reason to believe there was a private grudge against you on the part of any one?—A. No, no one in particular. I had some personal difficulties, but had generally arranged them.

Q. In what way did you arrange them?—A. I would settle the matter right there. I had had no personal difficulty, though, for about a year prior to the election with anybody.

A QUIET ELECTION.

Q. You were there on the day of the election?—A. Yes, sir.

Q. Did you vote?—A. Yes, sir.

Q. Do you say that the election was entirely an orderly and peaceable one?—A. I said it was where I was.

THE SHERIFF THREATENED.

Q. Did any one, and if so whom, ever threaten you in the town of Liberty at any time?—A. No, they did not threaten me.

Q. Did you ever hear any other person in the town of Liberty threaten?—A. Yes, sir.

Q. State who the persons were that threatened and who was the person threatened.—A. I cannot say who it was threatened them, because there was a crowd of about fifteen or twenty all together. I cannot state positively, but there was a crowd of ten or fifteen.

Q. Who was the person threatened?—A. Sheriff Parker.

Q. When was that?—A. Just prior to the election.

Q. Do you know any other case than Parker's?—A. No, sir; except the general threat.

Q. Do you know of any other cases than Parker's?—A. No, sir.

Q. How far is McComb City from Liberty?—A. Twenty-four or twenty-five miles.

Q. On the railroad?—A. Yes, sir.

Q. Direct communication between the two places by railroad?—A. No, sir; Liberty is twenty-five miles off the railroad.

Q. You say you keep a hotel there?—A. Yes, sir; since the first of this month.

NATIONAL TROOPS IN MCCOMB CITY.

Q. Have you had any annoyance in McComb City since you arrived there?—A. No, sir; the troops have been there ever since I came there.

Q. What troops?—A. United States troops.

Q. I mean what company and what number?—A. At one time the Seventh Cavalry and a part of the Thirteenth Infantry; at the present time I think there is a company of the Third Infantry.

Q. Were these the troops that came in response to Mr. Shaughnessy's

telegrams?—A. Yes, sir; and the troops that have escorted me in the discharge of my duties as deputy collector in Amite County.

Q. Collector of what taxes?—A. United States revenues.

Q. Do you always have with you a guard of soldiers?—A. No, sir; except in Amite County, where I think it necessary.

Q. What difficulty have you had while collecting the taxes?—A. Personally, no difficulty in collecting. I would not go there without troops.

Q. Have you ever been resisted in the collection of taxes?—A. No, sir; but I could not have gone there to collect them without troops.

Q. Have you ever been obstructed in the collection of revenues by force since you have been in Mississippi?—A. I have never attempted to collect any since the election in Amite County except with the troops.

Q. Will you answer my question? Have you ever been obstructed in the collection of revenues by force since you have been in Mississippi?—A. I have not.

By Mr. McMILLAN:

Q. State the reason you have not been resisted.—A. Because I have not allowed myself to be. I knew that I could not have gone there to collect taxes without an escort.

By Mr. BAYARD:

Q. How long have you been collector.—A. Since the first of March, a year ago.

Q. Do you mean that you apprehended difficulty after you went there, or do you mean that you have ever had any difficulty?—A. I mean that I certainly would have had difficulty if I had attempted to go there without troops.

Q. But you have not had difficulty?—A. No, because I have been accompanied by troops.

Q. Within what time?—A. Ever since the election, on every visit that I have made through the county I have had troops with me.

Q. What was the date of Shaughnessy's application for troops?—A. I think it was in December.

Q. Did you ever have troops there before?—A. No, sir.

Q. Did you ever have difficulty before?—A. No, sir; not before the election at all.

Q. Are you always accompanied by troops when you go to Amite County?—A. I am, and would resign in preference to going there without troops.

Q. Are there any distilleries in the county?—A. No, sir.

Q. None, whatever?—A. None at all, that I know of.

Q. You say you can suggest no other reason why there should be this threatened violence toward you except your political course?—A. Only the fact that I am filling a republican office; those are the two only reasons in the world that I can assign for it.

RELATIVE VOTING POPULATION OF AMITE COUNTY.

Q. What is the population of Amite County?—A. About 12,000.

Q. State, if you can, the relative population, black and white.—A. There are about 300 more black than white voters, and there are about 1,500 more blacks in the county than there are white people.

Q. They poll 300 more votes than the whites?—A. Yes, sir.

Q. Where does this Moses Jackson live?—A. In Amite County.

Q. Where is his home?—A. Liberty is his post-office.

Q. Where does Wesley McElwe live?—A. Liberty is his post-office.

Q. Where does John Jackson live?—A. At Rose Hill.

ABOUT THE THREATS AFTER THE ELECTION.

By Mr. McDONALD:

Q. I understand you that these threats of personal violence have been made against you since the election?—A. No, sir; I have stated that the reason I left Amite County was on the opinion of Colonel Johns.

Q. That was since the election?—A. No, sir; that was the night of the election.

Q. But it all took place since the election?—A. The election was not over then, for no one knew the result of the election.

Q. The polls had been closed, had they not?—A. I presume the polls were closed at 6 o'clock, but they had not counted the votes.

Q. The votes had all been cast at that time?—A. Yes, sir.

Q. And it was since then that these threats or demonstrations have been made?—A. Yes, sir.

Q. Before that time you had collected the revenue in Amite County without any aid from the military, had you not?—A. Yes, sir; I had no desire to have any as long as I could do without any.

Q, No one ever resisted the payment of the revenue because it was revenue, did they?—A. No, sir; not up to that time.

Q. Nor since?—A. Nor since; no, sir.

Q. The objection was to you personally for some reason or other?—A. I do not know, unless it was——

Q. That was the fact, was it not?—A. I do not think that it was.

Q. They never objected to you on account of your being an officer of the Government?—A. Yes, sir; they did, and it was frequently spoken about.

Q. Frequently spoken about your being an officer?—A. Yes, sir.

Q. But no one ever objected to paying the revenues?—A. No, sir; no one ever resisted me up to that time.

Q. Nor since?—A. No, sir.

THREATS AGAINST SHERIFF PARKER.

By Mr. CAMERON:

Q. What threats were made against Sheriff Parker at the time you have mentioned?—A. It was a proposition to go up and take him out of his office and get rid of him. It embraced me at the time. I don't remember the exact words, but they proposed to kill him. I felt alarmed for him. So much so that I went to see him and told him of the supposed danger.

Q. Were these threats made by white men or colored men?—A. By white men—democrats, in fact. I would like to tell you that about three months before the election Parker had been tendered the nomination on the democratic ticket and had refused it; and I had been tendered the same nomination and refused it—for sheriff.

Q. By whom was this tender made to you?—A. By leading democrats who came to me.

TROOPS NECESSARY FOR COLLECTION OF REVENUE BY WITNESS.

Q. Why do you now fear to go into Amite County to collect the revenue-tax without being supported by the military?—A. Because I know that my life would be taken if I did so.

Q. Why do you fear that?—A. Because I am satisfied that if they would not let me live out of the county they would not let me live in it.

Q. At what points in the county do you go in making your collections?—A. At all points where there are stores. I have to go to the most out-of-the-way places in the county.

OFFICIAL REPORT OF WITNESS.

Capt. M. SHAUGHNESSY,
Collector of United States Revenue,
First District of Mississippi, Jackson, Miss.:

SIR: As a deputy collector of United States internal revenue acting under your appointment for the fourth division of your district, I have the honor to report that in consequence of armed resistance of a large combination of men, citizens of Amite County, I am unable to proceed with the discharge of my duties under the laws of the United States, and my instructions in accordance therewith.

One of the principal and most important of the duties assigned me by Circular No. 1, Series 6, requires "each deputy to canvass his division and report to the collector monthly, on Form 24, all persons who may be found doing business without a stamp denoting the payment of the special tax to which they are liable, posted in a conspicuous place in their establishment or place of business; and also, all other persons who may be found liable to any internal tax;" but, owing to the combination of large numbers of evil-disposed persons living in the county of Amite, to resist by threats, force, violence, and bloodshed, if need be, the performance of the duties assigned me under these instructions, I have found their performance wholly impracticable.

A brief statement of facts will suffice:

For some five or six weeks immediately preceding the recent State election held on the 2d of November ultimo, certain political organizations in Amite County known as democratic and conservative clubs, and having their headquarters in the town of Liberty, where I have lived with my family for the past six years, and where I have had my office as deputy collector ever since my appointment in March last, were in the habit of assembling in that place, every Monday, always armed with pistols, and sometimes with guns; their deliberations, consultations, and determinations were, for the most part, held with closed doors and in secret; but from their frequent armed demonstrations, threats of violence and rude and lawless conduct in large bands on the streets and in public places, they overawed all civil authority and made it entirely manifest that no republican officer or citizen of any prominence could live in the community without great danger of being assassinated. I had frequent and reliable information, coming from citizens of the highest character and of both parties, that it was their settled and fixed purpose to either expel and banish from the community, or to put to death, myself, the sheriff of that county, and certain other officers, who were regarded by them as having some political influence in that community. On the evening and night of the election, November 2, 1875, I was advised by Col. B. F. Johns, (democratic representative elect,) through Brig. Gen. H. P. Hurst, commanding that brigade, (which covers my division,) by all means to leave the county, myself, Captain Parker, (sheriff of that county,) and Dr. Fred. Barrett, (superintendent of public education of that county.) That these men, (those armed bands of which I have spoken) were coming in the following day, if not that night, when horrible scenes would be enacted, and he said, "For God's sake to go." I answered I was a United States officer, and they would not dare trouble me. He replied in effect, "They will dare anything. Your life is no safer here than Parker's, the sheriff's."

We had no means of defense against so numerous and so savage assailants, unless, indeed, we had assembled the republicans, white and colored, in which event we would have been accused of inaugurating a war fracas, a catastrophe as repugnant to all our feelings as to those of any other men in the State.

We left that night at one o'clock, I leaving my family, home, office, books, and everything pertaining thereto, being unable to carry them. I went to Summit in Pike County in my division, resolving to carry on my official business at that point until the excitement, which I had hoped was only temporary, should subside, so that I might return. On the day succeeding my departure, the town of Liberty was overrun by an armed mob of two or three hundred men, many of them drunk. My office as deputy collector in that place was entered by a gang who were searching and yelling for me; at Summit, where I had taken up my temporary abode about the middle of December, several of these parties, including some of their ringleaders, visited the town and inquired among the prominent citizens of that place if they intended to permit me to remain there, and avowed the purpose themselves of coming there with a sufficient force and driving me away. These threats were frequently repeated by them. I had brought my family to Summit, and was boarding at a private house, and was in the daily and constant discharge of the duties of my office, when on the night of the 23d instant a large party, composed of some twenty-five or thirty armed men from Amite County, came to the house where I was boarding with torches in their hands, yelling and saying they would burn the house and me in it, if I remained. I escaped by a side gate and made my way on foot and alone to McComb City, where I remained.

At about 10 o'clock a. m. next day, receiving assurance of protection from the mayor of Summit. I returned to that place with the intention of remaining. Similar demonstrations were again made by the same men and others. I went into the store of a

prominent merchant who told me that the crowd knew where I was, and that my presence there was dangerous, not only to my life but his interest. The mayor and chief of police (both conservatives) told me they had no means of protecting me, and advised me to leave as soon as I possibly could. My family were still in town, and I had not seen them since the night before, fearing if I went to my boarding-house it would entail trouble upon that family as well as my own; therefore went through by-ways and private inclosures the nearest way to the woods. I sent a messenger that night to my wife, assuring her of my safety, &c. I also sent a messenger to Brigadier-General Hurst, advising him where to meet me. He met me as directed, bringing with him your dispatch of the 24th instant, directing me to report in person at your office in Jackson, which I accordingly did without delay. It is proper for me to add that I had no personal quarrel, difficulty, dealings, or intercourse of any kind whatever with any of the persons outside the duties of my office except as above stated.

Permit me also to say that I am prepared to prove conclusively and beyond contradiction, by abundant witnesses taken from both political parties, that all these facts above stated are true, and that the case is even worse than I have stated it.

Very respectfully, your obedient servant,

W. B. REDMOND,
Deputy Revenue Collector.

JACKSON, *December* 27, 1875.

H. P. HURST—AMITE COUNTY.

JACKSON, MISS., *June* 15, 1876.

H. P. HURST sworn and examined.

By the CHAIRMAN:

Question. Where is your residence?—Answer. Summit, Pike County, Miss.

Q. How long have you resided there?—A. Since 1868. I have been for two or three summers North; but that has been my residence.

Q. Of what place are you a native?—A. Mississippi. I have been in Vicksburg and have lived in Amite County; was born there and lived there until I was fifteen years old.

Q. Were you engaged in the late war?—A. I went into the army in 1863.

Q. Did you remain in the army until the close of the war?—A. I came home and did not have an opportunity to return to my regiment; got cut off and was at home when the surrender took place.

Q. Did you hold any commission in the service?—A. No, sir. I was under age when I went in and when I came out.

Q. What offices have you held since you came to Summit?—A. Last January I was elected on the independent ticket as mayor of the town of Summit; in the summer I was appointed special revenue agent by Governor Ames; in October I was appointed brigadier general of militia by Governor Ames, and I organized the militia in anticipation of trouble in my district.

THE STATE MILITIA—WHY ORGANIZED.

Q. Give the committee the history of that organization, the causes which led to it, and when it was disbanded, if it has not continued up to the present time.—A. I suppose I had better state under what circumstances I came to get the commission.

Q. Yes; give the history of it in your own way.—A. I was in Amite County in September while the circuit court was going on. There had been some trouble then in the lower portion of the county. I had known Captain Parker, the sheriff, for some years. I was in his office one day, and he told me about some hostile white men in the southern portion of

the county. On the day following or the second day after there were some men came from that part of the county and attempted to create a difficulty with Captain Parker. I knew the parties, and I interfered in the interests of peace. The leader of these men came from Centerville, and he was indicted by the grand jury here. A day or two after that, Hiram Cassidy, who was the State district attorney for the district, came to me and asked me if I would accept the position of brigadier-general in the event of my being recommended to Governor Ames for the position. I declined to give a definite answer until I had consulted with my father, who was a practicing lawyer and there at that time, and other prominent men there—prominent lawyers, and democrats. They knew that there would be trouble in that county, for it is quite a bad county—that is, it has that reputation. I finally concluded to take the position, after consulting with these gentlemen, thinking, perhaps, that I could do some good, as I had some influence in the county, not only among democrats but among the republicans. I then came to Jackson with a recommendation to Governor Ames that I be appointed, signed by prominent republicans and democrats in the county. Governor Ames had promised the position to some one else, but concluded to give it to me, after seeing how highly I was recommended, and I went back there with a letter from him to Captain Parker, saying that I had permission from the governor to organize such companies as I thought proper, and to accept or reject any companies that I saw fit, and to see that a fair election was held.

THE STATE MILITIA—HOW ORGANIZED.

I organized a company of white men, no negroes at all, and they were all democrats and elected democratic officers—Col. C. P. Nelson, who is here now and will testify, an old soldier who fought all through the war and was colonel of the Thirty-third Mississippi Regiment, and Col. Moses Jackson, who is at the head of these clubs there now, which I call a mob. And my father persuaded me to put Jackson on my staff, knowing that he had great influence in the country. So I put him on my staff and gave him a commission from Governor Ames. The governor had agreed with me to give any man a commission that I recommended. All went on well until the day of the election. The company was organized and officered by men who had held positions in the confederate army. Every one of them was a democrat, with one exception, I believe, a Mr. Safford, who is here now, and who voted the republican ticket. On two or three occasions before the election men came to me and wanted me to let them run off Parker. They seemed to have more animosity against him than anybody else.

SHERIFF PARKER.

Q. Who is Parker?—A. He has been there for years as sheriff of the county, and was at that time; think he was an officer in the Northern Army, although I am not positive about that. At least he told me so. He first received his commission as sheriff, perhaps under Gillem or General Ames, I forget which. He was thought a good deal of there by people of the county, and held several important positions there, not only as an officer of the county but in other ways. They tried to build a railroad there once, and the white people of the county elected him president. But all at once they seemed to change. Why it was I cannot imagine. I never got into the secret of it, but he had been living there and discharging his duties in a satisfactory manner for years. I generally came down to Amite County four or five times a year and knew every one there. When I was living in Vicksburg I knew the

captain then. I think that was my first acquaintance with him. That was in 1867. So far as I know he is an honorable, high-toned gentleman. I have never known him to do anything wrong or to do anything that any one could say that he was not a gentleman. He had great influence with the republican party of his own county and of the State. He had represented the county in the legislature here.

GOOD CITIZENS OVERAWED.

The militia were organized there, and they were sufficiently able to have put down anything like disorder and riot at the election, provided the people would uphold them, which I thought that they would do—that is, the right-thinking people of the county, and they were really in the majority. The good citizens of the county are in the majority, but they have been overawed by these desperate characters, and they are afraid to do or say anything.

There were three precincts in the county where trouble was apprehended. Only a few days before the election several parties came from Rose Hill or Thick Woods precinct. It was one of those. It is about two miles from the Louisiana line. The state of feeling was very hostile; but everything seemed to be going on well, and we thought the people of the county were congratulating themselves upon the organization of the militia, and that the election would be a fair and peaceable one. Up to the time of the organization of the militia they had had great fears of riot and bloodshed on the day of the election.

REPUBLICAN AND DEMOCRATIC CLUBS.

The colored clubs were well organized but not well armed. The white clubs were not only well organized, but thoroughly armed and equipped with guns, rifles, and revolvers. A month or two before the election they had a club in every precinct, well armed and well officered, and they had anvil signals that they could bring the members together upon.

FIRING OFF ANVILS.

They took a couple of anvils and put them together, one on top of the other, and filled the hole with powder and fired them off whenever they wanted to call the clubs together. It makes a noise very much like a cannon, and can be heard eight or ten miles.

THE STATE MILITIA COMPANIES.

It was about a week previous to the election, and my militia company was well drilled and equipped. I had new rifles from Governor Ames, and side-arms for my officers, and plenty of ammunition. It was a picked company, old soldiers that had served in the confederate army, who I knew would do their duty; men that would not resort to any underhanded means of carrying the election on either side. If any man applied to me, who I thought would do anything of that kind, for admission to the company, I told him that the company was full, or gave some excuse; I had no use for him—although by so doing I made a good many enemies. As I stated, all my men were of the character I have described with one exception. Around Centerville there are a great many bad men. I went down there, and an old friend of mine, who was my father's commissary during the war, Dr. Strawn, told me of these desperate characters, and he said: "If you can get them enlisted in your militia, I think that Lieutenant Anderson," whom I had appointed as one of my officers from that place, "can control them." On the day of the election Strawn's theory did not prove good; they could not be controlled at all. Lieutenant Anderson did not have any more influ-

ence over them than he had over the man in the moon; but the other squads in the county behaved well, and kept peace and quiet.

AN INSPECTOR CHANGED BY DEMOCRATIC CLUB.

A few days before the election I was advised of the difficulty in maintaining peace at Rose Hill, and advised not to go there. I asked one of the men who gave me the advice, why I should not go there, and he said: "We like you, and don't want to see you hurt;" and I said: "If that is all I don't mind going down, and don't mind being hurt." So on the day of the election I went down there and took a young man, a republican, who had some of the republican tickets to distribute, along with me in my buggy. He said he was afraid to go down there by himself. When the voting commenced this democratic club drew up in line and demanded that Strawn, who was one of the inspectors of the election, should not act as inspector. They said, "We don't want you, not because you are dishonest, but because you will not do what we want you to." He said, "If that is the case, I will go;" and they got a man by the name of Wat. Haynes and appointed him inspector. Anderson said to me, "I am sorry you came down here to-day;" and I said, "Why?" He said, "These boys are a pretty wild set of fellows, and I don't think you can manage them." I said, "I will try to do my duty, and I think I can." The company drew up in line, and I said I had come down there as a spectator, and not as commanding general, "and I will turn the whole command to-day over to Lieutenant Anderson;" and that seemed to please them very well; and after that the voting commenced, and everything passed off well, with one exception. This young man Bates, who had come down with me, accidentally gave a colored man two tickets folded together, and when this colored man went to vote, one of the inspectors asked him to open his hand, and they discovered the two tickets, and that raised a considerable fuss; and they were about to mob Bates, but Anderson and I interfered to prevent it. They said that Bates could not remain there. So I put him in my buggy and sent him off down the road with a guard to protect him and keep him from being hurt, and sent him to Liberty.

GOVERNOR AMES'S TESTIMONY CORRECTED.

I noticed in Governor Ames's testimony, as it was published in the papers, that he made a mistake. He said that I fled to the county-seat for protection. I did not flee at all; I remained there until after the voting was over. It was young Bates who had to fly, and he left me there alone, with no protection except those wild fellows and a few friends I had there.

COL. FRANK POWERS.

In the evening, after the principal part of the voting was over, I was congratulating myself upon the day passing off so quietly, when I learned from several of these men, these desperate characters, that they had invited Col. Frank Powers, a notorious character from Jackson, La., who was in command during the war of what we called "The Buttermilk Cavalry," who did not do any fighting, but ran cotton through the lines to the gunboats down there, and speculated down there, and stole and robbed from both sides. I tried to persuade these men not to allow Frank Powers to come up there to Mississippi; that I thought it would be an outrage to invite a man of his character to come and participate in a fair election, and they promised me to send couriers down there the next day and stop him from coming. He has a regular well-organized company that tags around at his heels all the time; and they promised me that they would not invite him to come there; but late in the

evening I heard firing upon the road, and a yell was raised in town, and a friend of mine who served in the same brigade with me—the Texas Brigade—during the war came to me and jerked me into a room and says, "You get in there, I don't want to see you hurt." I was perfectly astonished at the idea. I had started down the road to see what the firing was; but upon seeing the situation of affairs I concluded that discretion was the better part of valor, and remained in the house.

NEGRO VOTERS RUN OFF.

Powers, with a lot of drunken Louisianians at his heels, dashed up and began shooting; the negroes who were standing there in line waiting to vote ran away; they jumped off their horses, and several of them started down the road after the negroes who had fled upon seeing this hostile demonstration; but some of the citizens interfered to prevent them from following them. In a few minutes everything was quiet, and I went out and had an introduction to Powers; I asked him what he had come up there for, and he said that he had come to take part in a little row that he said the boys were going to have there that day. When it was time to close the polls I asked one of the inspectors if he wanted a guard placed over the ballots, so that they would be unmolested while they were counting the votes. I thought that he was a very honest, high-minded man; he said, "I am afraid to count these votes." He had been notified by this party of Louisianians, I suppose, and told what they were going to do with the box. I then told Anderson to give them a guard, and some of the crowd refused to serve. I then got disgusted and quit.

MANIPULATING THE BOX.

Wat. Haynes, when I told him I had concluded to place a guard there that night, said, "Don't you do it; I want to manipulate that box to-night; we want to carry this thing." I gave him an evasive answer. I did not see that I could do anything there, and borrowed a horse and went back to Liberty; but before I returned to Liberty I understood that they were going to return there the next day in large bodies Col. Moses Jackson had given orders to all the clubs in the county to assemble there under arms.

WITNESS ADVISED TO LEAVE.

He was all this time on my staff, and I thought he was all right up to this time; they advised me not to be seen in Liberty the next day. I then got my horse and went to Liberty as fast as I could to get these men, Parker and the other republican officials, out of the way. Before I went to see Parker, or any of them, I went to see Col. B. F. Johns, who had been a colonel in the confederate army, and who is now representing Amite County in the legislature; he was a colonel in the Seventh Mississippi Regiment all through the war; he is a lawyer there by profession, and a gentleman that is respected by every one. I told him what had occurred at Rose Hill, and he was very indignant and told me, "If this is the case, we will have to get what men we can together and make a stand and give them a fight if they are so anxious for it." We went around and consulted some of the other gentlemen there and only a few of them would agree to it; the older ones would not agree to it, they were afraid of those desperadoes.

REPUBLICAN OFFICIALS ORDERED TO LEAVE.

This man Powers had got this southern portion of the county so inflamed that they would all join in with him; I knew that we could not get the citizens to aid us in making a stand against these fellows. We

concluded that the best thing to do was to advise the republican office-holders to leave. I then went and informed them of our decision to advise them to leave the county.

Q. Who were they?—A. They were A. S. Parker, sheriff; Frederick Barrett, superintendent of education, who is a delegate to the Cincinnati convention now, and W. B. Redmond, deputy collector of the internal revenue. Barrett had not been in Amite County as long as Parker and Redmond, and I don't know that there was any animosity existing between him and the people of the county. A few minutes after I had had my first conversation with Colonel Johns, I was waited upon by several men in Liberty, and I did not know what to make of it. One of them said, "We are put here as spies to-night, and we are determined that these men shall not leave town." I then went and told Parker and the rest of them. They walked out of town, and had a buggy sent around for them. They were afraid to leave in such a manner that they would be seen. I told them that I would go with them, and that if they were overtaken or an attempt was made to maltreat them in any way, I could perhaps persuade them to desist. We went to Summit. I learned that there was the greatest excitement in Liberty, as I heard from some of the responsible citizens, that had ever been known in the county, when they found out the republican officials had been carried away by me; and they said they would string me up if I ever went back there. I did not know what I was to do. I consulted my friends, and they advised me to go to Jackson and report to Governor Ames. I did report to the governor, but he said he was powerless to do anything; that his hands were tied. I then went to see General George, the chairman of the democratic state executive committee, and had a conversation with him. General George, after finding out what had occurred down there, said that the people there were acting like a set of fools, and would greatly endanger the cause of the State if they did not keep quiet. He wrote a letter and asked me if I would not take it back to the county. I said there was some danger in my going down there; but I promised to go with it, and I sent a young man out with copies of this letter to every portion of the county, and they called a large mass meeting to meet me on Monday. This letter reads as follows:

LETTER FROM GENERAL GEORGE.

JACKSON, MISS., *November* 3, 1875.

GENTS.: I learn there is great trouble in your county, and that the republican officials lett on accounnt of fear.

I want merely to state that anything like disorder or riot or lawlessness or intimidation of republican officials will be of material injury to our cause. We have carried the State by an immense majority, and we must so act as to show we are worthy of power. Do implore our hot-headed friends to be patient and resort to the law for redress. Allow, if you please, the expelled to return to their duties. If they are guilty of wrong, proceed according to law.

I have explained to General Hurst my views fully.

Please don't regard this letter as an impertinent interference. I have written solely with a view of producing good to our friends.

Yours, truly,

J. Z. GEORGE.

Hon. B. F. JOHNS, Col. C. P. NELSON, Col. MOSES JACKSON, *and others, Democrats.*

MEETING AT LIBERTY.

I got to Liberty very early in the day, before the crowd had begun to assemble. I was standing on the street, when all at once a crowd of armed men, numbering about one hundred, I suppose, dashed up to the court-house—this Southern Amite crowd. The rest of them came without arms. Every club in the county was there. They had held a

meeting on the previous Friday, when there was a large meeting of the clubs in the county, as I understood, though I was not there. They finally called the meeting to order, and called upon me to get up and explain myself—why these men had left the county. I did it the best that I could, and told them that I had come back there with a letter from General George, who had requested that they should allow these men to return. When I said this they just yelled all over the house like a set of demons, "Damned if they would do it; they would see him in hell first." I finally got disgusted and sat down. Colonel Johns got up to make a speech and they would not listen to him, but hooted him down. I found there was no use in trying to do anything with them, and I got up and said that I would hold myself personally responsible that these gentlemen should not return to Amite. I said, "You may swing me up if I let Parker or any of those men return." I was perfectly disgusted of course with these people. I have been in a heap of tight places, but I will say this, that during the whole of the war I don't think I ever felt as much apprehension for my life as then.

I went back to Summit and telegraphed General George as follows:

TELEGRAM TO GENERAL GEORGE.

SUMMIT, MISS., *November* 10, 1875.

General GEORGE, *Jackson, Miss.:*

Nothing could be done in Amite. The men from the southern portion of the county with men from Louisiana, have frightened everybody, and the condition is fearful. Have men here under our protection. Answer and advise.

H. P. HURST.

And he sent back this answer:

GENERAL GEORGE'S REPLY.

JACKSON, MISS., *November* 10, 1875.

H. P. HURST, *Summit, Miss.:*

Consult with the best citizens as to how to preserve peace and afford protection.

J. Z. GEORGE.

I was in Summit from that time on. I did not go back to Amite County any more. I think it was on the 19th day of November.

REDMOND FOLLOWED FROM AMITE COUNTY.

Mr. Redmond in the mean time had taken up his residence in Summit, and was boarding, with his wife, at a Mr. Bradshaw's. Captain Parker went to New Orleans, and Mr. Barrett remained in Jackson. A great many negroes in Amite County had to leave; some of them were around Summit and some of them were scattered through the country promiscuously. There was then some talk of the Amite people coming to Summit, but I did not think they would be such a set of fools as to go into another county, and I did not give much attention to it. One day Tom Garner, a thoroughly reliable merchant in Summit, came to me and said that they had been asked by Col. Moses Jackson whether the people of Summit intended to allow Redmond to remain there. Garner said that he had said to him, "We don't intend to do anything about it. Redmond has behaved himself since he has been here, and the people are disposed to treat him well." Jackson then said to him that if he did not make him leave there, the people of Amite County were coming to make him go away. When Mr. Garner told me this I felt very badly about it, for I thought a good deal of Redmond. He had always treated me well, and I had done him some small favors. I asked him if he had communicated these facts to Redmond. He said he had not. I told him that he ought to do it at once. Redmond just then passed by

with his wife and Mrs. Bradshaw. I told him that Mr. Garner wanted to say something to him, and they stepped out to one side, and Garner related the conversation that had occurred between himself and Jackson. Redmond asked my opinion about what he had better do. I told him that I thought we could protect him. Redmond said, "If you will guarantee me protection I will remain;" and I told him that as far as I was able to do so I would protect him. I then went to New Orleans for a couple of days, and on my return I learned that two notorious characters, named Frith and Green, of Amite County, had been there the day previous, and had camped near the edge of the town that night, with some other citizens from Amite County, and that they had made threats against Redmond while in town; that that night as they were encamped in the edge of the town a body of negroes had come where they were and asked them what they were there for, and a young man who was with them got up to strike a match, and as he did so the negroes fired into them and shot him in the leg with a single squirrel shot; they made a great fuss about it the next day. I saw Frith and Green both, and they said that they could not identify the parties. The citizens held an indignation meeting to investigate the matter. The next day Redmond came into town. In the mean time Frith and Green had left. Frith was secretary of the democratic mob or the club at that time. On the 23d of November, the day after I got back from New Orleans, Redmond came up to McComb City. In the mean time his wife had got so badly frightened that they had removed from Mr. Bradshaw's residence to McComb City; we went down to McComb City; I told them that I thought there would be no danger; that Frith and Green had left town. But citizens of Amite County came in afterward and some of them got to drinking. We went into a restaurant in the market-house and took some oysters. We walked out of the restaurant into the saloon where we were met by four citizens from Amite County.

REDMOND ATTACKED.

Without a word of warning one of them grabbed at Redmond and began to abuse him. I saw there was a probability of there being a fight and stepped in between them. One of them remarked that no man should take up for Redmond; that if he did they would go for him, or something of that kind. Seeing that the only chance in the world with that crowd was to get the lead, I drew my revolver and slapped it in the man's face, and said "If you move, I will kill you;" and they went out of the house with that revolver in their faces. Redmond had by this time got his pistol out and came to my assistance; we got out of the building and my policeman came along and I told him to arrest one of the ringleaders, and in a short time everything was quiet.

By Mr. BAYARD:

Q. Were you mayor of the town at that time?—A. Yes, sir; mayor at that time.

Q. How many policemen had you?—A. I only had two; but the one I called upon was a very good one, and he had a revolver and a hickory stick, and he used it. The citizens then held an indignation meeting.

AN INDIGNATION MEETING.

I voluntarily went to this meeting, and made this statement. Here is the way it is published in the Clarion:

Hon. H. P. Hurst, mayor of Summit, came voluntarily before us, and stated that on Thursday evening, the 23d day of December, he and Mr. Redmond were in the market-

house, when several citizens from Amite came in, and one of them drew a knife on Redmond and cursed and abused him outrageously. He (Hurst) ottempted to prevent this abuse of Redmond and protect him, having been requested by General George, chairman of the democratic executive committee, to protect all republican officials from Amite County. A general row was the result of my interference in behalf of Redmond. After the difficulty was over, everything seemed to be quiet; he, as a citizen of the town of Summit and a friend to Mr. Redmond, advised him to leave the town, and to remain away until the excitement was over. He did not tell Redmond that the peace-officers of the town could not protect him from the citizens of Pike County. He does not believe, and so informed Redmond, that the peace-officers of the town could protect him if he was attacked by a mob from another county; and that he has good reasons to believe that he will be attacked by a mob from Amite County should he remain in Summit. He advised Redmond to leave for the good of the community, and that he is satisfied that he cannot live in Liberty.

They didn't like this statement of mine. They thought it was a terrible thing that they could not assassinate a man. Mr. Garner also made a statement which was reported in the same paper, as follows:

Hon. T. A. Garner, who was at the time a member of the town council and now mayor, came before us voluntarily, and made in substance the following statement:

I went to Mr. Redmond, in the presence of the mayor, on Sunday, December 19, and asked him to leave the town during the excitement; that he had been treated kindly by some of the first citizens of the town; and that he ought to leave for the sake of peace. I had good reason to believe that there would be trouble if Mr. Redmond should remain in the town, but I am satisfied that he would not have been molested by any citizen of Summit. I will state further that Col. Moses Jackson, a prominent citizen of Amite County, called on me and asked what the citizens of Summit intended doing about Redmond living in the town. I told him that the people of the town did not intend to disturb Mr. Redmond. Colonel Jackson then said that if the citizens of Summit did not make Redmond leave the town, that the citizens of Amite County would come here and make him leave. I do not remember whether Colonel Jackson requested me to see Redmond and advise him to leave or whether I volunteered to do so; that it was understood that I would urge Redmond to leave.

The committee that was appointed by the indignation meeting was composed of prominent republicans and democrats. Mr. J. C. Lamkin was chairman of the committee; he is a prominent young lawyer there. There were two republicans on the committee, Charley Beam and W. H. Garland, jr. The other members of the committee were Col. W. L. Patten, Col. William Hamilton, and E. Enos. The committee concluded not to make any report at all. Mr. Enos then drew up a petition, and went around, and got it signed by a great many citizens of the town, saying that there had been no disturbance there except of a personal character, and that Redmond didn't run away from the town; and they published it in the Clarion. It was not true, and Mr. Lamkin and Mr. Garland had a meeting called, and they drew up a set of resolutions, and published a true statement of the facts which I have read to you just now. Garland had that also published in the Clarion. But before Redmond left that night he telegraphed to Shaughnessy, asking for protection. Shaughnessy then telegraphed to Washington for troops, and they were sent down; and then the State made a great howl about it. They sent a legislative committee down here to investigate, and I gave this testimony before that committee, [holding copy of testimony in manuscript in his hand,] which the committee can have if they so desire.

By the CHAIRMAN:

Q. Is it substantially the same thing that you have testified here before us?—A. Yes, sir; it does not differ from what I have testified here.

Q. Then it will not be worth while to embody it in our testimony. When did you and Mr. Redmond leave?—A. He has not left yet; he said he would wait until the troops get there. He has been through his district, attending to the discharge of his duties with a commis-

sioned officer and two or three men several times since then. I am sure he could not go there alone. In fact, the people of Amite County have told him so.

CAUSE OF HOSTILITY TO REDMOND.

Q. What do you understand to be the objection to Mr. Redmond; the reason for the hostility?—A. I think the whole thing is this: the reason came out before this legislative investigating committee when they went down there. At first they sat with open doors and allowed any one to be present who chose to be. I was there, and heard some of Moses Jackson's testimony, and the only thing that he could allege against Redmond was, that when he was assessor, Redmond had four or five years before that raised the valuation of his property five or six thousand dollars, and Jackson never could forgive him for that.

JACKSON'S CONFEDERATE RECORD.

Jackson didn't like me any too well. He was perfectly willing to have me killed, but as he had accepted a position on my staff he didn't like to see it done, and so had requested me not to send him to Rose Hill on the day of the election. He had no animosity against me particularly, but he had been captain in my father's regiment, and had been cashiered for insubordination, though he was afterward re-instated, and was a lieutenant-colonel when the war closed.

CONFEDERATE SOLDIERS TREAT NORTHERN MEN KINDLY.

He is the only confederate soldier that has taken any active part in these things. I will say this, that confederate soldiers generally treat Northern men kindly, and when they meet them on the street they are willing to extend to them the courtesies of life. These men who created the disturbance down there were never in the Army. The two leading spirits in Rose Hill had substitutes in the confederate army, and they refused to pay those substitutes, and one of them was sued by his substitute, and he employed my father to defend him, and he gained the suit, and never paid the substitute. All these hot-headed secessionists kept out of the war, and they don't know what war is.

PRESENT CONDITION OF AMITE COUNTY.

Q. What is the present condition of affairs in Amite County?—A. I understand that there is great excitement there, and that whenever they take a notion that they do not want a negro or a white man there they go to him and tell him to leave; and, if he don't leave, he is apt to get hurt.

Q. Were you a revenue collector for the State or for the United States?—A. For the State.

Q. You have never held any office under the United States Government?—A. Never under the United States. I have never taken any part in politics. It has got to be so corrupt here in this country that I am really ashamed to act on either side.

WHY PARKER AND OTHERS WERE OBJECTED TO.

By Mr. CAMERON:

Q. What objections did they make to Parker and the other men who were driven out, other than Redmond?—A. I understood from Parker there was a killing occurred in the southern portion of the county. Col. Moses Jackson's nephew, John Jackson, and a young man named Legant, from Louisiana, killed a negro in that neighborhood. The negro was obnoxious to the people there, and they whipped him on one occasion before that. They went to his home on this occasion to give him a whipping,

and the negro would not take it, and they shot and killed him; but before he died he made a statement, and said that Legant and John Jackson were the ones who shot him. There was considerable excitement down there, and they knew that this Jackson was a notorious character, and everybody was afraid of him. Parker could not go down there to arrest him and nobody else wanted to. A short time after this murder, there was a political meeting called by the republicans, and Parker, Yeandle, the chancery clerk, and several other republicans went down there for the purpose of making a colored man by the name of Hill give up his nomination for supervisor from that district. Hill had become very obnoxious to the people down there in that portion of the county, and they didn't want him to run. Parker knew that there would be trouble there unless Hill came down from the canvass. They persuaded Hill to withdraw, and Parker got the republicans to nominate a young man named Germany, who was a democrat, in place of Charley Hill; but when Parker and the others went down there, this Jackson crowd hearing of it, and fearing that Parker might arrest Jackson, got seventy-five or one hundred men under arms that day, and they refused to let them go through the lines. Parker was halted on a bridge and ordered to go back. Colonel Jackson, the uncle of this young Jackson, was in command of the forces, and he permitted Parker and the others to go around through a field to the meeting, and they went and had the meeting. Parker came back, and wrote what had occurred to Governor Ames, and wanted the governor to offer a reward for young Jackson. When this letter reached Jackson here, it was published, though how it got out I don't know; but the publication of that letter put the people of Amite County against Parker. From that time they had no use for him, and they hate him worse than the devil. They went for him on every occasion on account of the publication of this letter. They got up a petition stating that the facts stated in that letter were not true, and they made Mr. Yeandle sign it. If he hadn't signed it they would have made him leave the county. Things got from bad to worse from that time on.

PRESENT STATE OF AMITE COUNTY.

Q. What is the present state of Amite County?—A. Well, these clubs are composed of ruffians, and are about the lowest type of low white men. They have no education, and are sort of desperate characters. They have formed themselves into what they call a central club, and they meet there now once a month, and they pass all sorts of laws for self-government. One resolution I recollect that they passed was that any man who hired a negro should be held responsible for the acts of that negro; if the negro stole anything, that they should inflict punishment upon the man who hired him for what the negro had done. I attended only one club meeting while I was there, and that was three or four days before the election. H. H. Ratcliffe got up on that occasion and offered this resolution:

EMPLOYERS OF RADICAL NIGGERS TO BE TARRED AND FEATHERED.

"*Resolved*, That we tar and feather every white man who hires radical niggers."

Of course the club had too much sense to let that resolution pass, as the negroes were all radicals, and they voted it down; and after that the club expelled Ratcliffe because he would not turn off some negroes who were working for him who had become obnoxious to the community there. Ratcliffe is a farmer, and a man of considerable means, or at

one time he was. He is a sort of independent fellow, and he thought he could control his own affairs better than this club could for him, and so he kept his negroes.

NEGROES RUN OFF AND WHIPPED.

The club people went there one night and shot the negroes' cabins full of holes, and ran them off and beat one or two of them terribly.

Ratcliffe then wrote a letter to Judge Hill, United States judge, and stated the circumstances that had occurred, and asked him what to do. Some of these fellows, learning that he had written such a letter, followed Ratcliffe and got hold of this letter. They met him on the road and asked him not to send the letter, and he said he would, and that he was going to report every one of them. And they said, "We know how how to stop you; if you don't get in your wagon and go home, we will finish you right here;" and Ratcliffe got in his wagon and went home.

Young Safford, who is here as a witness, told me this, and he got it right from Ratcliffe's lips. I understand that Yeandle, who had been allowed to remain in the county, because he had signed the letter of which I spoke, has since then been waited upon and asked how long it would take him to settle up his business and leave the county. I don't think there are any of the counties in the southern part of the State so bad as Amite.

NUMBER OF DEMOCRATIC CLUB-MEMBERS.

Q. What number of persons are understood to be connected with this central club?—A. I suppose they have in that county some eight or ten well-organized clubs, and I suppose that they number at least 500 men that would go with their leaders—with Moses Jackson or any man who was the leader of those clubs.

HOW THEY GOT ARMS.

Q. Are they armed?—A. They stole all my militia guns there. They went to the houses of the militia-men and made them give them up the day after the election. This legislature appointed a committee to investigate what had become of the Mississippi State arms, and they didn't investigate that portion.

Q. What report did that committee make?—A. They didn't make any report in regard to that section. They knew very well that the mob had them.

Q. What report did the committee make as to the disturbance in Amite County?—A. That it was without cause and foundation; that the difficulty was purely a personal one.

RELATIVE WHITE AND BLACK POPULATION OF AMITE COUNTY.

The CHAIRMAN. The white population of Amite County by the census of 1870 was 4,196; the colored population, 6,777.

By Mr. CAMERON:

Q. Do you understand that those difficulties were purely personal?—A. No, sir; I don't think there was anything personal about them.

CAUSES OF DIFFICULTIES IN AMITE COUNTY.

Q. What is your opinion of the cause?—A. Well, these fellows down there took a notion that they wanted to manage their own affairs, I suppose, and they thought that Parker and the other republican officers there had too much influence with their party, and that the republican majority was too great there to be controlled while they were in the county.

Q. To which party do the persons connected with the central club belong?—A. To the democratic party.

POLITICS OF THE WITNESS.

Q. What are your political opinions?—A. I have never been mixed up in politics in my life; I have always scratched my ticket. In my county the sheriff is an old confederate soldier, but a republican, and I have always voted for him. I have always voted for Mr. Collins, who was beaten in the last election. Mr. Travis, the sheriff, was elected. He lost an arm in Virginia. My father was a Whig and a Union man when the secession movement started here. He was one of the seven who voted against secession when the State seceded.

SECESSIONISTS IN THE WAR.

I have noticed, not only in my county, but all over the State, that the secessionists were the last men to go into the war and the first to get out when they did go in. Colonel Johns, whom I have spoken of, is a democrat, and fought through the war. Colonel Nelson was a Union man.

By Mr. McMILLAN:

Q. Did your father go into the confederate army?—A. Yes, sir; he raised a regiment. While he was serving in the field he was elected judge, and resigned and came home, and was on the supreme bench of the State when the surrender took place.

MURDERS OF NEGROES UNPUNISHED.

Q. Has the State government made any effort to suppress these disturbances?—A. It has not. Down there in Amite County they think nothing of killing of a negro, because nobody ever attempts to arrest them for doing it. Last Sunday night I learned they went to the house of a negro named Deshields, and called him to the door. Deshields would not go, and his wife went, and said that he was not in the house. When his wife went to the window she saw a man dodging around the corner; and she went back and told Deshields that there were some men there, and he got frightened and lifted up a plank in the floor that he had loosened before that to make his escape, and got under the house and attempted to crawl out the back way; and they ran upon him, four of them, and shot him to death.

Q. What were they, white men or black men?—A. White men. They went off, and there has been no attempt to ferret out who they were.

Q. What other murders or shootings have occurred there?—A. That is about the third or fourth killing since the election. There was one negro killed on the day after the election. I was asked this morning by a gentleman to give him the address of Reuben McKendrick, and I told him that was the last thing that I could tell him, as he was not in this world, from the best information I had, and that it was the general impression that he had been killed.

Q. Was he a representative from this county?—A. Yes, sir; from Amite County.

Q. A colored man?—A. Yes, sir.

Q. How long since he disappeared?—A. Several weeks.

Q. Has any person been arrested for any of these murders or assassinations?—A. No, sir. There was a reward offered by Governor Ames for Jackson, who started all this difficulty on the border, and he was at the meeting of the clubs when I carried this letter of General George's. I saw him, and spoke to him there that day; but the sheriff made no attempt to arrest him, and I don't suppose that he will.

HOW TO STOP MURDERS.

I will state, that when I came up here and saw General George, he said that if those people down there didn't be quiet he would call for troops; that it is an outrage on the State, and that he didn't think it ought to be permitted to go on any longer. I think if troops had been sent there, and the United States marshal had been instructed to arrest those men, that the trouble would have been stopped before now.

By Mr. BAYARD:

Q. You have evidently thought about and considered this matter very closely and carefully.—A. I have; I think I have thought more over this than almost anything else in my life.

Q. Do you think that by a stern, vigorous, and honest administration of the power of law that thing can be stopped?—A. I think that assassination would stop in a month. I think that is the only way that they can control it.

Q. Are you well acquainted with the people of that section, and with their feelings?—A. I am as well acquainted with the habits and feelings of the people in that country as anybody.

Q. If the authorities of the State of Mississippi shall do their duty by this community there that you have described, as they are empowered by the laws of the State to do, can they stop this state of things?—A. If they would do it, they could.

Q. This condition of affairs that you have spoken of existed in 1875?—A. Yes, sir; but I have never known it to be as bad as it is now, I think.

Q. The things that you have described in regard to Redmond and the rest occurred in the fall of 1875?—A. Yes, sir.

Q. That was under one State administration?—A. Yes, sir; under Ames.

Q. And then a new administration came on, on the first of last January?—A. Yes, sir; the officers were installed then. These men who are known to have committed these murders have never been arrested. Young Jackson has been there in town several times, and the sheriff has made no attempt to arrest him at all.

Q. And that, neither under the administration of 1875 nor under the administration of 1876, have any stern and prompt steps been taken to put an end to this matter?—A. No, sir; no steps taken whatever.

Q. But you believe that, if the laws of the State were efficiently executed, order can be secured by the laws of the State?—A. Yes, sir; but I will say this: that I don't believe that the sheriff of Amite County now could get a posse to arrest these men. Hence assistance would have to be brought in from elsewhere to enforce the laws.

Q. You know, of course, that by the laws of the State the governor can call the whole force of the State to his asssistance if he will ask for it?—A. Yes, sir; but I don't think, even if they were arrested, we could get a jury to convict them.

Q. Have you any statute by which the State can change the venire and remove the case from one court to another?—A. No, sir; the defendant has that privilege, but the State cannot do so.

Q. What portion of Amite County would you include in this region that you have described as in this lawless condition?—A. The thing first started in only a very small portion of the county; just one township.

Q. That is down in the southwest corner, next to the Louisiana line?—A. Yes, sir.

Q. It is in this locality, this East Feliciana district, where this man Powers makes it his headquarters?—A. Yes, sir. If Powers had staid away from Mississippi, I don't think there would have been as much trouble as there has been. I reported the thing to the grand jury here, and they paid no attention to it. I have no doubt that the people of the country would think it a god-send if he was out of the country.

Q. He is a dangerous character?—A. Yes, sir.

POWERS'S LIFE DURING THE WAR.

Q. Describe his life during the war.—A. Powers, when I first knew him, had charge of what we call buttermilk cavalry. Most of his men, I think, were deserters from the confederate army—the fellows that wanted to keep out of the fighting. He was speculating all the time in cotton. He was in the habit of tolling all the cotton that came into Baton Rouge, and if the owners of the cotton didn't pay what he demanded of them as toll, he would confiscate it all. There was a Northern man came down there about the time that I returned from the Army of the Tennessee, which was in 1864, I think—My father, hearing that I was sick, came up there to see me, and see if he could not get a furlough for me; but I was under age, and could not get a furlough. So I took my discharge, with the expectation of coming back when I recovered. I was then only 16 years of age. A short time after I returned home I got acquainted with a good many of Powers's men, one of whom I had known before I went into the Army. He had been a schoolmate of mine. He told me just what sort of fellows Powers had under him; that they never did any fighting, but watched around, and when a Federal scout came down from around Port Hudson they would kill him. As I was going to say, this Northern man bought a large amount of cotton, and he was overtaken by Powers on the Port Hudson road. This man had a very fine pair of alligator-skin boots on, which Powers took a fancy to, and he made him pull them off, and took them himself, and wore them around the country for a long time. But that was not the worst of it. He took this man and put him adrift on a log in the Mississippi River, without boots or hat on, and he was picked up near Fort Adams by some parties in a skiff, and brought aboard a Federal gunboat.

Q. Then this man is a ruffian and an outlaw?—A. Yes, sir.

Q. And he has his place of residence in Jackson, La.?—A. Yes, sir. He is drunk a part of the time. He flourished around Clinton, La., principally.

NO LAW IN THE LOUISIANA BORDER.

Q. Has he never been held amenable to the laws of Louisiana at all?—A. No, sir. If Louisiana has got any law I don't know it. I was over there a short time ago, and it seems to be utterly without law or order.

Q. This section of the country is remote from the railways?—A. Yes, sir; entirely. That is the great trouble. There is no chance to get out there at all.

Q. It is sparsely settled?—A. Very sparsely settled until you get down toward the river. Around Jackson, La., it is rather thickly settled; but I don't think that Powers lives in Jackson, but about eight miles from there.

JACKSON'S GANG.

Q. How many men in the State of Mississippi are the chiefs and ruling spirits of this condition of affairs down in the lower end of

Amite County?—A. Well, it is not easy to say. I could not possibly tell you how many. I suppose if you picked out ten or fifteen of those desperate characters, the whole thing would stop. Yes, and I would go further than that, and say that if Jackson and Powers were arrested, this whole thing would stop. I told the United States grand jury here that if they would arrest those two men, the whole thing would quiet down. General Dedrick, the district attorney, took down my testimony, and said it was the strongest case he ever listened to; and yet they refused to indict. My testimony was also corroborated by Dr. Straun, who was with me on the day of the election, and was on my staff also.

Q. Would you mind giving the names of these ten or fifteen men whose arrest, you think, would put an end to this business?—A. The next worse man after Powers, down in Louisiana, is Moses Jackson, who is the head of that club in this State, and then Dr. Tom Jackson, his half-brother, who was cashiered from the army during the war, and he was the first man in the county, the first citizen, that joined the republican party. He was Parker's best friend on every occasion, until beaten by Barrett. Jackson was a delegate here yesterday to the democratic State convention. He lives eight miles below Liberty. He has never done anything until recently.

Q. What share had he in these transactions that you have mentioned?—A. He seemed to be one of the moving spirits in getting up the excitement against Parker. He asked me what I would do in the event of their trying to make away with Parker. I told him I was able to protect him. He promised me to let them alone until after the election.

Q. Jackson is the man whom you consider to be really the chief outlaw in Amite County?—A. Yes, sir; the president of the club there. I don't know that at heart he is a bad man, but he has no sense. He has managed the thing so badly that he has got these desperate characters stirred up and cannot control them at all.

Q. Were there disturbances until after the election?—A. I just spoke of those disturbances that occurred in the southern portion of the county and the animosity that was excited against Parker. That was in October that Parker went down to make a colored candidate withdraw from the campaign. This killing occurred at Rose Hill, in October some time.

Q. Do these desperadoes, such men as Frank Powers, care whom they shoot or whom they kill or whose property they take?—A. No, they don't.

Q. Are they not, then, simply robbers?—A. They are nothing else but robbers; they are regular thieves and robbers. That is what I have looked upon Frank Powers as all the time.

Q. That is Frank Powers's character there?—A. Yes, sir.

Q. That is his reputation on the Mississippi side?—A. Yes, sir. He comes into Mississippi and these Mississippians uphold him and side with him.

Q. Are not these men a terror to the property-owners and tax-payers of the county?—A. They are. The good citizens down there are actually afraid to open their mouths. I might bring a hundred men here from the county that I might name that know more than I know, but the committee could not get a single thing out of them for the reason that they know very well that the mob would get after them if they testified.

Q. Is this a question of political party or a question of law and order?—A. I think it is more a question of law, because they have got no white republicans down there now, or if there are any they would be afraid to own it.

A MEXICAN STATE OF SOCIETY.

I imagine this state of things there is something similar to Mexico. I have never had any experience in Mexico, but from what I have read and heard of that country, anybody who can get fifteen or twenty desperate fellows at his heels can do as he pleases; and that is about the way it is down there in the lower part of Amite County. They have organized clubs in every community. This thing has spread itself, like a contagious disease, all over the county. They have selected the worst characters, too, for this central club, and they go there and do just what they please. If the editor of this paper, the Southern Herald, comes out with something that they don't like, they wait upon him and tell him that he must do as they want him to.

Q. It is mob-law?—A. Nothing but mob-law, and in its worst form, too.

Q. You spoke of Pike County?—A. There has never been any disturbance there except what was caused by the drunken rowdies from Amite County. Colonel Jackson, who is a man of no sense or caution whatever, lets everything out, and he told me that when Frith and Green went back to Amite County they tried to stir up all these clubs.

Q. Tell us who Frith and Green were.—A. Frith is nobody; Green is a worthless, drunken fellow. They have since then kicked him out of the clubs for drunkenness and insubordination and attempt at riot.

Q. Are they, then, in any degree above the low desperadoes of any place?—A. No, they are just about the same, only they are men that have no courage to do anything themselves.

Q. Have they any property?—A. No, sir.

Q. Any character?—A. No, sir; that is the trouble with all these fellows. They have got so poor they are just desperate and don't care what they do. They have lost their property in the war, and since then have been idle, and lying around the bar-rooms drinking whisky, and getting poorer and poorer every day. A man from Amite County told me that he had seen some of those low fellows there with new horses and guns and pistols and saddles that they had taken from the people in Wilkinson County during the last fighting.

Q. How many miles from the railroad is Liberty?—A. 24 miles to Liberty and 16 miles from there to Rose Hill. In that region there are some terribly bad characters. [Referring to the map of the State.]

Q. Show what you call the lawless portion of that county.—A. Talbot is about as bad as any of them—Rose Hill and Centreville.

Q. Taking the rest of the county outside of these three, four, five, or six townships, do you consider it in a state of law and order?—A. The communities in the rest of the county are perfectly quiet. There are some bad men there in many of the precincts, because they have got delegates to the club from every precinct in the county. A decent man would not go into that club. Colonel Johns and Colonel Nelson, and men of their character, would not have anything to do with it.

Q. In that county, could you give us any idea of the number comprised in what you term the bad element?—A. If you will take fifty characters out of there, I would say that the county was pretty free from that element; but then these fifty characters control at least three or four hundred more. Moses Jackson could get probably 500 men to fol-

low him anywhere. When this trouble occurred in Wilkinson County, they told me that there were three or four hundred men went down there.

Q. There are something over four thousand white people in Amite and six thousand and some hundreds of black people?—A. Yes, sir.

Q. Taking out these fifty men that you believe control these other three or four hundred men, what would be the character of the rest of that community?—A. Law-abiding, I should think, and in favor of peace and quiet. But I do not think peace will ever be restored in that county until these leaders are controlled. These fellows stay down there on the line between Mississippi and Louisiana, and they have couriers and can tell when any one is coming after them and will immediately cross over the border. Of course you cannot follow them there and take them without a requisition; and have got to get an officer to go there.

Q. You stated that after these things occurred at Liberty, the legislature sent down an investigating committee, and you used the phrase "the State made a great howl about it?"—A. O, no; I meant some of these democrats in Summit made a great howl about it because they got down upon Redmond.

UNITED STATES TROOPS OBJECTED TO.

Q. Did they object to the investigation?—A. No, sir; to Redmond's bringing these troops there.

Q. Who made objection to them?—A. All of them.

Q. Do you say that there was a committee of investigation appointed?—A. Yes, sir; the business of the committee was to ascertain whether Redmond was justified in sending for these troops or not.

Q. It was the presence of the troops that caused them to object?—A. Yes, sir.

Q. Was there any report made?—A. They made a report that Redmond was not justified in sending for troops; that the difficulty was a personal one, and that there was no evidence that he had been driven from the county.

Q. What evidence did they have before them of that fact?—A. I testified to that fact before them, and Mr. Garner and others testified to the same thing.

Q. On the other hand, what did they prove?—A. I did not hear all the testimony. They finally got to squabbling whether they should sit with closed doors, and sat after that with closed doors.

Q. What became of your testimony?—A. They have it here, I suppose.

Q. Was any action taken on it here by the legislature?—A. Well, sir, I think they reported that Redmond was not justified in sending for troops.

Q. Who composed that committee?—A. The subcommittee came there. It was composed of Messrs. Roan, from Copiah County; Shattuck, from Wilkinson County; and McNair, from Lincoln County.

JACKSON'S BAND.

Q. Has this Moses Jackson a band of his men?—A. This club; he is its president.

Q. Who is Legant?—A. A man in Louisiana; keeps a store just across the line.

Q. Of the same class as this man Powers?—A. He has no influence, but he is a desperate character. He is not very well known in that

county, as he has not been there a great deal. He is great friend of Jackson's.

WILLIAM DESHIELDS IS ASSASSINATED.

Q. What was this man Deshields, that you speak of?—A. William Deshields was a colored man, and a member of the board of supervisors. He was considered a very bad negro. He went to the sheriff a short time ago and wanted permission to organize a republican club. The sheriff advised him not to do it. As I have before said, last Sunday night a party of white men went to his house, called him out, and shot him dead. There was no clew to the murderers, and no one was arrested.

Q. Was he re-elected last fall?—A. No, sir; there was not a republican elected on the ticket in Amite County at the last election, except one.

Q. The board of supervisors control the finances of the county?—A. Yes, sir.

Q. This William Deshields was one of that board?—A. Yes, sir.

Q. Of what was that board composed?—A. Four negroes and one white man.

Q. Were any of them fit for the place?—A. No, sir; all ignorant men.

Q. You spoke of a row at the election in Rose Hill, owing to the fact that some one had discovered a black man in the act of putting two votes doubled together into the ballot-box?—A. Yes, sir.

Q. Who was the inspector that opened the tickets as they were handed in?—A. This man Haynes, that the democratic club put in.

Q. He opened the ballot?

FRAUD AT THE ELECTION.

A. Yes, sir. I demanded of the inspectors that they should throw out that box when they came to count the votes, but they were overawed next day by the mob and would not act. It was a fraud, no doubt about that, at that particular box; everybody is willing to concede that. There are generally about four hundred colored votes and two hundred white votes. It usually returned about two hundred republican majority; but these desperate white fellows got to riding about nights and shooting into the negroes' houses; but the negroes were in a majority on that day. The whites came to the polls armed; but the negroes came unarmed.

Q. What was the number of votes that were changed by that man being at the polls and by this misconduct?—A. Do you mean Powers coming in there?

Q. Was that not after the election?—A. No, sir; there were forty or fifty negroes that hadn't voted.

Q. How many men had Powers with him?—A. I don't know; I didn't count them; I was jerked into a room by a friend of mine, a Texan. He and I had been in the same brigade in the war. His name was Bill Linsy; he was deputy sheriff at that box.

Q. Where does this Col. B. F. Johns live?—A. In Liberty. He is is representing Amite County now in the legislature.

Q. You spoke of him as a very worthy man?—A. Yes, sir; I don't know of a man that stands higher in the State than he; a temperate, moral man in every respect; and a perfect gentleman, highly educated, and a good lawyer. Colonel Nelson is also a man that is thought a great deal of.

Q. Colonel Johns was in favor of raising a force of white men, and

resisting this mob, as you term it?—A. Yes, sir; he said that we should raise the men and make a stand, and whip Powers; that it was a great outrage for a man like Powers to come there into Mississippi and interfere with the election.

Q. Johns is a leading democrat?—A. Yes, sir.

Q. Are the views of Mr. Johns concurred in by the property-owners and tax-payers of the county?—A. They are; but this mob rules everything. They would not let Colonel Johns speak; and talked once of making him come down from the canvass because he was too liberal for them. He was the editor of the Southern Herald.

The CHAIRMAN. Mr. Safford was summoned here from Amite County, and it has been suggested to me that if he testifies and testifies truthfully, he will be imperiled when he goes back. I want to know what you think about it, and I would like to have Mr. Bayard and Mr. McDonald hear what you have to say about it.

The WITNESS. I think he will. I don't think it would be safe for *me* to go back if they knew what I have testified.

The CHAIRMAN. I think I will not call him; I do not want to take the responsibility.

The WITNESS. This club appointed a committee to wait upon everybody who came up here and testified before the grand jury to ascertain what they testified to.

By Mr. BAYARD:

Q. How many men took part in this attempt to compel the men who had testified before the grand jury to divulge their testimony?—A. I expect that Colonel Nelson can give you the names of the men who waited upon his nephew to learn what he testified to before the grand jury.

Q. How many are there concerned in that?—A. You see I have not been there since the election except to carry General George's letter down there, and I know nothing of what is going on except what is told me by men who come from there.

RESPONSIBILITY FOR THESE OUTRAGES.

Q. I am endeavoring to ascertain who and how many of them there are who are responsible for these outrages. Am I to understand that the greater portion of what you have said is what others have said to you?—A. No, sir; I have told you just what I know, and I am now trying to keep from telling what others have told me.

By Mr. CAMERON:

Q. You spoke of a sub-committee of three who were appointed to investigate the Redmond affair, and you mentioned the gentlemen who composed that sub-committee; were they republicans or democrats?—A. Two democrats and one republican. McNair and Shattuck wrote this testimony for me and handed it to me. It was copied from my testimony taken down there. Shattuck is a liberal republican and McNair is a democrat.

Q. How many persons are understood to be connected with these clubs of which you have spoken?—A. Each club comprises fifty to seventy-five men, sometimes more. Of course they could not get that number of men to follow them, for some of them have got too much sense to go into such a thing. They selected their worst men to do these things. Jackson could get four or five hundred men at any time, I suppose, if there was any row kicked up out there between the whites and blacks,

which is the principal cause of the disturbances there. But you can't get these men to go and fight white men. They wouldn't go and fight their equals; none of them would do it. They are all cowardly unless they have got numbers to impose on you.

SAFETY OF THE COLORED PEOPLE.

Q. Do you regard the colored people down there as being safe from attacks of these desperate characters?—A. Not if those fellows take a notion to make away with them. If they don't like a negro, and he don't leave the country, he is pretty apt to be killed. That is something very difficult to prevent, because you don't know when they are going to do it. There is a large stretch of country there which is thinly settled, where these fellows can dodge about, and it is almost impossible to know when they are going to go for any one.

AURELIUS S. PARKER—AMITE COUNTY.

JACKSON, MISS., *June* 15, 1876.

AURELIUS S. PARKER sworn and examined.

RECORD OF THE WITNESS.

By Mr. CAMERON:

Question. Where do you reside?—Answer. Now, in New Orleans.

Q. Where did you reside during the year 1875 prior to the month of November?—A. In Liberty, Amite County, Mississippi.

Q. How long had you resided there?—A. Since May 20, 1869.

Q. What public office, if any, did you hold in that county?—A. I was appointed, when I went there, by General Ames, who was at that time military governor of the State, as sheriff, and in the November following I was elected to the legislature, and held that office for two years; and also held the position as sheriff until the election for county officers. In 1869 there were no county officers except appointed ones, and there was no provision made for an election; consequently, we elected only members of the legislature under the new constitution, and that was when I was elected to the legislature. This legislature made provision for an election of county officers, and when that election came on I ran for sheriff again, and was elected.

Q. Then you held the office of sheriff from 1869 up to what date?—A. The 1st of January, 1876.

Q. When did you leave Liberty, Amite County?—A. I left there on the night of Tuesday—the first Tuesday of November.

THE CONDITION OF AMITE COUNTY.

Q. You can state what the condition of the county was during the last political canvass prior to the election, as to its being orderly or disorderly?—A. You mean the canvass of 1875?

Q. Yes, sir.—A. Its normal condition had been peaceable and orderly until within a short time previous to the election, and the only disturbance then was the visiting of the houses of colored men by white parties in the night.

COLORED MEN ADVISED NOT TO REGISTER.

Q. What was generally done in those cases?—A. It was their custom to call the colored man out and ask him if he was going to register. This commenced shortly previous to the registration, which was probably about forty-five days before the election. If a colored man said he was going to register, they advised him not to. If he was still determined in his statement that he was going to register, they would tell him that if he did register he could not vote. But this had no effect, as it was the first time that this thing had happened in the county, and they had no fears. After the registration they continued this same thing, and told them that they could not vote; and if they were very persistent that they were going to vote, they would threaten them that they would take their lives if they voted, and that they could not vote under any circumstances whatever.

THE LIVES OF PROMINENT COLORED VOTERS THREATENED.

In some cases they would tell the colored men, "You had better dig your grave on Monday"—the election was on Tuesday—"You had better spend Monday digging a grave for yourself if you intend to vote, for you will not be allowed to live."

Q. How general was that threat throughout the county?—A. In about half the county. These visits were made to the more prominent negroes' houses—to the houses of the officers of these negro clubs. Threats were made also very generally, and without any hesitation, that if any republican officers or republican candidates were elected that they would not be allowed to live and hold the place. I have heard such threats as that myself; not addressed directly to me, but within my hearing, where they were met together in little knots or crowds and were talking loudly.

Q. Were these visits made to the negroes during the night?—A. Yes, sir; in every case nearly. In fact, I don't know of a case where they made a visit in the day-time. The parties who made these visits were not known by the colored men whom they visited. They would come from a neighborhood like this and go seven or eight or ten miles, where they were not known, and visit negroes that could not recognize them if they should come close to them; and so they changed about through the country.

Q. Where were you on the day of the election?—A. In the town of Liberty.

Q. Were you a candidate for office?—A. Yes, sir; for sheriff—a candidate for re-election.

Q. What occurred in Liberty on election-day, in the evening, with reference to the election?—A. Nothing at all, sir. We had as quiet an election in the town of Liberty as they have ever had there, I reckon.

THE CENTRAL (DEMOCRATIC) CLUB FORMED.

Q. What induced you to leave the county?—A. Some six or seven weeks previous to the election there was a call issued for all men who were opposed to the radical republican party to meet in Liberty on a certain day. That meeting was on Monday, two weeks previous to the election, I think; however, I am not positive. Some four or five hundred people came into town under that call and organized what they called a Central Club, and they held their meetings in secret. They took down the names of all the persons present. They held a meeting on Monday and arranged to meet again two weeks from that time. They passed some violent resolutions there, but I didn't learn what they were.

They had their first two meetings in the Masonic lodge-room, but at the third meeting there was too large an attendance for that hall, and they met in the court-room, over my office. They passed some very violent resolutions on that occasion.

ORDERED TO LEAVE THE COUNTY OR BE SHOT.

Q. What was the nature of those resolutions?—A. Most of them were aimed at me personally more than anybody else; but, of course, they were opposed to other republican officers. There was one resolution, in particular, that they should take me out of my office and tar and feather me, and instruct me to leave the county; and if I didn't leave the county, then the next time they would take me out and shoot me. I learned from W. L. Hovey, a democrat, that that resolution was passed. He has always been a particular friend of mine; we had always had a great many business dealings. I think he is a strict democrat, but he voted for me at this last election, notwithstanding all these acts of the democrats. At that time he staid in my office, because he thought he might bring influence enough to bear to prevent them carrying out any of these threats. I told him that they never could do anything of the kind to me. He had made up his mind that if they came down there he would help me out; and that was the reason for his remaining there. By his coming down-stairs and informing me of this resolution after it had been passed, and he not being a supporter of myself politically, I considered that the information was positive.

AN EFFORT FOR AN ARRANGEMENT OF DIFFERENCES.

All the district nominations in the county had been made previous to this time, but in one instance we wanted to make a change. We had nominated a colored man in the third district by the name of Hill, who was obnoxious to the democrats, and justly so, I think, for he was a very ignorant man, although there were no charges of corruption against him, or that he had done any wrong act officially. I went to Centerville, the headquarters of the democracy of the county, and consulted with the leading men there, democrats and republicans, and told them we were going to withdraw Hill. I told them that if they would name a man whom I thought was honorable, and who would treat me right if he was elected—I like to have courtesy extended from one officer to another—I would try and have him nominated. They wanted me to name a man, and I named a man named German, a democrat, and they said they were satisfied with him.

AN ARMED FORCE RAISED TO PREVENT THE MEETING.

A meeting was appointed on Saturday to carry out this card, and nominate German. In the mean time the democrats had raised a force of men at this place where the meeting was to be held, which was fifteen miles from the county-seat. They stationed these men all along the road, and declared that I should not hold this meeting. But I started out with Mr. Yeandle and another gentleman to attend the meeting, and as we got within about three miles of the place where the meeting was to be held, we were stopped by two pickets. They halted us in military style, and I asked what they meant. They said, "You can't come up." I said, "I will come up," and I rode right up to them, and asked them, "What does this mean?" They said, "We have got some men back here, and you shall not go down to hold this meeting." After talking a while with them, I told them it was no use, we were going; that we must go; that we had no arms, no guns; that I had my pistol in my

pocket; and that neither of the gentlemen with me had any arms. I requested one of them to take a note to these men that were armed, telling them the object of the meeting. They took the note, and Moses Jackson, the leader of the men there, came back with the messenger, who had taken the note; and, after some parleying, he consented that we should come down within about a mile of that point, and then take a road that run off to the right, and take a circuitous route around to the point we wanted to reach. We could do nothing else, so we consented to that arrangement. Jackson said if we went down the regular road he would not guarantee that we would not be killed, but if we would go the other way he would go down with us and protect us. We had to do that or back down. We went there and had our meeting, and we put up the man that we had agreed to, and withdrew Hill; and German's was on our ticket, and we voted for him on election-day without a scratch of the tickets. Under these circumstances, I had become pretty sure that they meant to do something if the election went contrary to their desires.

THE ELECTION TO BE PERMITTED, BUT REPUBLICAN OFFICERS TO BE DRIVEN AWAY OR KILLED.

But they determined at about the last of their meetings before the election that they would not molest us until after the election. If we carried the election they would conduct us beyond the boundaries of the county or kill us. It came, too, in such a way that there could be no doubt about it. They had detailed six men to kill me, provided I was elected. On the night of the election I remained about the court-house until 12 o'clock, or some time after that, before I left the county. There were a great many white men coming into town, but no colored men, except those who lived in town. I consulted with Colonel Johns, who is a democrat and the present member of the legislature from that place, and with Colonel Nelson, and with other gentlemen, as to what was going on; I was suspicious, of course. They told me that there was an arrangement that all the democratic clubs through the county should come into town in the morning armed, and in case the republicans were elected they were going to lay hold of us in some way or other. We talked the matter over for an hour or two. Colonel Johns said that, if he could get twenty-five reliable white men to back me, he would resist them when they came in the morning, and that they should not be allowed to run over the town in that way. Many of these men that were expected in the morning were from Louisiana. I don't know how many, but a good many of them. I asked him when they expected these men, and he said they didn't expect them at all before sunrise, but they might come in at any moment. I asked them what they advised me to do. Colonel Johns said he would go out and see what he could do about raising some men. He did do so and failed. He said there was not a man that would stand by him, and it was decided that we should leave and stay away a few days. Mr. Yeandle, who was the chancery clerk, arranged to go into the country and stay with some friends of his, and Mr. Redmond and Dr. Barrett and myself arranged to have horses hitched up and to go to Summit and go over to Jackson. We would remain there for a while, and let the thing blow over. They said that it was useless to undertake to fight that crowd; that we three men couldn't defend ourselves against them. If we staid and were killed, it would do nobody any good, and the negroes, who stood up for us, of course they would be killed; and we considered that we had no right to in-

volve anybody in our difficulties. I have made it a point not to involve the negroes in any of these political difficulties. I never have done so. We left about half-past 12 o'clock. They had not closed the registration-books at that time, and were still counting, and no one knew that we had left except Colonel Johns and a few of them that were with him.

WITNESS CANNOT LIVE THERE, AND CANNOT SELL HIS PROPERTY.

By Mr. CAMERON:

Q. Have you returned to the county since?—A. I have been there twice since then.

Q. Have you returned there to reside?—A. No, sir.

Q. Why not?—A. Because I don't consider that I could live there. I own 160 acres of land in the worst part of the county—where these worst people live—and I can't rent that land to black or white. They say nobody shall live on that land. One of these men, who belongs to the Central Club, offered me a small price for the land, and I accepted the offer, but he withdrew his offer. I offered it to another gentleman at the same price, and they told him if he bought it he could not live there, and none of his family should live there; and he wrote me from New Orleans that he didn't wish to invest. He is a man of wealth and good standing, was born and raised in the county, and stands No. 1 in every respect, except his politics, which is republican.

THE DISTURBANCE AT TOLER'S PRECINCT.

Q. What disturbance, if any, occurred in the county on election-day, from your own knowledge or information?—A. The only disturbance at the polls anywhere in the county was at Rose Hill precinct and at Toler's precinct, near Jackson's place. There was a colored man at Toler's who was appointed United States commissioner or United States inspector, that there should be some one to attend the election in the interest of the Representative to Congress. This man was a school-teacher in the neighborhood, and there was a white man appointed as United States inspector on the democratic side. A man named Thompson came there with arms, and tried to drive this colored man out, so the man stated to me, and the other registrars corroborated his statement. Thompson insisted on this colored man getting out, but the other parties interfered, and finally persuaded him to put his gun away and let this colored man alone. That was the only disturbance at that place except loud talking, which didn't amount to much.

THE DISTURBANCE AT ROSE HILL.

Q. What was the disturbance at Rose Hill?—A. I have only the statements of parties who were there. In the first place the democratic registrars and additional parties induced the republican registrar to withdraw so that they could appoint an outside man. Then they raised a pressure on one of the democratic registrars who was a moderate man—Dr. Straun, a physician of the place, a finely-educated man. He is a man of high temper and he felt insulted, and he got up and said that he didn't want to hold a position where he could not be in fellowship with gentlemen, and they could appoint whom they pleased; and he withdrew. That was in the morning. The election went off quietly, I understand, until late in the evening, when Colonel Powers, from Louisiana, with a lot of men, came into town. He said that they had been in Wilkinson County and that they had made one man draw down; I suppose withdraw, they meant; and that they now came there to regulate that precinct; and they created a disturbance and commenced to fire

and got up a great confusion and frightened away all the voters about the polls at that time. I suppose from fifty to seventy-five colored voters were driven away from the polls. They were there at the polls ready to vote when the disturbance commenced, and they fled into the woods and other places. What real personal violence was done to any one I don't know.

THE CENTRAL (DEMOCRATIC) COMMITTEES.

Q. How many democratic clubs are now understood to be organized in these counties?—A. I don't know, sir. They have what is called the central committees, who have been holding their meetings there up until the present time, in the county. At first they held them once in two weeks; then they held them every Monday; and then they got down to two weeks again. I don't know how often they are held now.

THE OBJECT OF THE COMMITTEES.

Q. What object?—A. They state that their object is to be a sort of a county legislature or regulators. They attempt to supervise and regulate things generally. They passed a resolution that any man who employed hands, should be held responsible for the depredations of those hands; that sufficient provisions should be left on their places so that the hands should not be compelled to steal, and that the owner of the place should be present himself occasionally and give the place his personal supervision. That was published in the Southern Herald, a paper which circulated everywhere in the county. They regulated everything in that way. The club appointed an editor to take charge of the Southern Hearld, and they put a man in there and he run it a little while, and he got to see that the course they were pursuing was not good policy and showed a little sense in his editorials, and they requested him to withdraw by a resolution. But he has large and influential family connections and friends there, and they could not force him to resign and he is still running it. His name is Henry Cappel.

ORDERED TO LEAVE THE COUNTY FOR POLITICAL REASONS.

Q. What reason, if any, did they assign for requiring you to leave the county?—A. Political reasons; never assigned any other.

Q. What reason did they assign for requiring Redmond, Dr. Barrett, and Mr. Yeandle to leave?—A. I don't know of any reason, except a political one. They claimed that I, as head of the republican party in the county, controlled the colored vote, and that we all worked together to control the colored vote, and that the colored vote should not have control hereafter; that they were going to carry the election by fair means if they could, and by foul if they must. That was said openly by many democrats. They have never accused me of stealing any money, or doing anything wrong in my life. No such accusation as that ever came to my ears. On the contrary, Judge Smiley, who is now judge there, says I am the best sheriff that he ever knew in his life; and he is a democrat.

Q. How many members of the legislature were elected from Amite County last fall?—A. One representative and one floater. There is a surplus in each county—we are classed with Rankin County—and we elected a floater.

Q. Who were elected?—A. James E. Jager was the floater.

Q. What was his politics?—A. Democrat; and Col. B. F. Johns was elected—straight democrat.

Q. Any senator elected from that county?—A. No, sir; we had no senatorial election at this time. We elected one two years ago.

NOT SAFE FOR REPUBLICAN OFFICIALS.

Q. Would it be safe for Mr. Redmond to go back to Amite County to reside?—A. I don't think it would.

Q. Do you think that he could perform his official duties there without military support?—A. As United States collector of internal revenue?

Q. Yes, sir.—A. I am not prepared to say, for this reason: I have not been in the county but twice since the election. Parties of men had waylaid the roads at night when I had been in the country speaking, and expected me to come into town. In neither case did I know until after I had got home. I had come home in a different direction from what I went out. I held a meeting eight miles from town across the Amite River, and I returned home before night, because I had an engagement to meet some gentlemen on some business in the town; and parties laid out there, expecting me at the river bridge, until 12 o'clock at night. Some colored men came and told me after I got to bed that they were there. I went down, but they had gone. They had broken down a man's field and fed their horses there. There had been, I should think, thirty horses there.

HOW THE COLORED VOTERS WERE INTIMIDATED

Q. You may state whether or not these outrages had the effect of intimidating the colored voters.—A. They certainly did, sir. I am satisfied that for a month before the election there was not a week-day or a Sunday that colored people didn't come to my residence or to the courthouse, and tell me of these visits to their houses, and ask my advice as to what they should do, and—did I think they would be killed, and all such inquiries as that. Of course I encouraged them all I could. I will state as my candid opinion that there were no less than five hundred men who lay in the woods the greater part of the night before the election. They would stand in line at the polls, and drop asleep standing up, on account of not having had sleep the previous night. These democratic clubs were organized into squads, and each of these squads had two anvils. They would go to a little rising place in the road, and put these anvils down,and shoot them off ten or twelve times, and shoot their shotguns, yell, and go on, and stop a mile perhaps farther on, and repeat the same thing again. We could hear it in every direction from town, and it sounded just like war times. The colored people, when these squads would be approaching them, shooting and yelling, would of course imagine that they were going to kill them, and they would slip out and get into the woods, and lay hid until morning. In the morning they came in one at a time, and found out no one had been killed. This was done on the night before the election, and finding out that nothing serious had been done, and that this was only a trick to frighten them, they came up to the polls and voted, and we polled a larger vote than we had polled before since the war; both democratic and republican.

COLONEL POWERS' REGULATORS.

By Mr. BAYARD:

Q. Then this disturbance that you speak of, and this intended intimidation, failed in its effect as to keeping them from voting?—A. Yes, sir.

Q. They got their votes in on the day of election?—A. Yes, sir; except in this precinct of Rose Hill, where there was some disturbance on the night of the election.

Q. We have had before us a very intelligent witness, and I believe a very worthy one—General Hurst—who spoke of the condition of affairs across the line in Louisiana, where there were a lot of desperadoes under the control of one Colonel Powers. State to the committee whom this man Powers is, and what effect he has had in producing this condition of things in the county of Amite.—A. Colonel Powers, during the war, had command of a regiment of cavalry that was called Buttermilk Cavalry, in our neighborhood. They were scouting and raiding around the county, and he had always a bad reputation for running cotton through the confederate lines. His reputation was, I think, very bad. He is a leader of what is called the Regulators, in the parishes of East Feliciana and Saint Helena. There have been a great many negroes killed through these counties; and they have killed some of the county officers at Clinton, in the parish of East Feliciana, and have run the rest away. Included in his organization were some men from Amite County, and they were in sympathy with him in getting rid of republican officers.

The understanding was, that should they want Powers on our side of the line they would call on him and he would come prepared to assist them in doing anything they might require to be done. On this election-day they sent for him. General Hurst asked Powers why he had come there, and he said that they had sent for him.

Q. Have you the means of knowing the extent of this band of outlaws under Powers?—A. As to their number?

Q. Yes, sir.—A. No, sir; I have not. This Central Club that was organized in Amite County prosecuted their business with closed doors, and expelled any one who was not a member of the club, no matter what party he belonged to. After having several meetings of this Central Club they appointed a committee of fifty, who themselves transacted the business which was subsequently ratified at the Central Club meetings.

SIX OR EIGHT HUNDRED MEMBERS IN AMITE COUNTY.

Q. How many in Amite County do you think are embraced in these outlaws?—A. I should suppose six or eight hundred men. The reason that I think so is this: This thing started in the Thick Woods or Rose Hill precinct, and was then extended into other parts of the county. They organized these clubs in each precinct, and then they formed this Central Club; and there are certainly six or eight hundred men embraced in these clubs.

SOME OF RINGLEADERS.

Q. How many men do you embrace in the ringleaders?—A. I can give you the names of several of them. Col. Moses Jackson, who is president of the central club and of the committee of fifty; Moses Robinson, Walter L. Hogins, C. P. Frith, Seaborn Reynolds, William Gunby, L. B. Robinson. If those men are not leaders now they were for four weeks before the election. They occupied the position of president or captain of those clubs. There are others that I cannot give the names of. Moses Jackson is the great mogul of the county. He works in connection with Powers over the line. Powers is chief over the line in Louisiana, and Jackson is chief in Amite County.

Q. Do you believe as a fact that if Jackson and these other men whose names you have given were arrested and punished these things would cease?—A. Yes, sir; I have no doubt of it.

SOME DEMOCRATS OPPOSED TO THESE BANDS.

Q. What is the feeling, do you think, among the better portion of the

white people of Amite County in regard to Powers coming over there?—A. I think they would be just as much opposed to it as you could be or I could be, or anybody else in the world. There are democrats there who are as fine men as live in the world; they are opposed to this in every way, and would stop it in every way except by force; but when it comes to force they will have nothing to do with it. They are willing to give advice and counsel, and did exert themselves in that way before the election, but they were powerless, as these fellows engaged the sympathy of the young men and boys.

Q. In the canvass of 1875 did you have any trouble?—A. No, sir.

NO TROUBLE BEFORE 1875 ON ACCOUNT OF THE PRESENCE OF TROOPS.

Q. Did you have any trouble, or were there any personal threats made against you before that canvass?—A. In the first canvass of 1869 there were threats without number, but at that time there were troops and there were other little squads at various county seats. Although there. There was a little squad of fourteen men in Amite County; there were threats I didn't regard them as threats which amounted to anything. There were never any threats of consequence until 1875.

Q. Then this state of things began during the canvass and continued as you have stated?—A. Yes, sir.

Q. How long since you left Amite County?—A. The last time I was in the county was on the 17th of March of this year. I went up there to attend court, but there was no session of the court.

Q. You were not there during the winter?—A. No, sir.

Q. State who composed the board of supervisors in Amite County, prior to the election of 1875.—A. One was C. D. Sprich, a republican; they were all republicans at that time; I don't remember the others' names.

Q. Was he a white or a black man?—A. A white man; there were two white men and three colored men.

Q. Were they fit men for their place?—A. They were not educated men, I will state that; but I will states also that there were men in the democratic board who were no more fit than they. Those men would compare favorably with the average of the supervisors that we have had since I have been in the county.

Q. Were not those supervisors men of bad character?—A. No, sir.

Q. Had they not been indicted?—A. There were all sorts of charges trumped up against them after they were elected.

Q. They were elected in 1873?—A. Yes, sir.

BOTH BOARDS INDICTED.

Q. You say that charges were trumped up against them; were they not indicted?—A. They were indicted in September, 1875, for having made some illegal appropriations. As the board of supervisors, they paid all the bills in the county. They are awaiting trial yet. At the March term we had no court.

Q. Were they illiterate men?—A. The colored men were. I will state in connection with that that the democratic board who were in power previous to this board were also indicted by the same court and jury that indicted these colored men. They took the code and went back as far as they could under it until the statute of limitations intervened.

Q. When was that democratic board elected?—A. In 1871.

Q. Did the county go democratic at that time?—A. No, sir; that democratic board had three democrats and two republicans. We elected two republicans and they elected three democrats.

Q. The board of 1875 was composed of five republicans?—A. Yes, sir; of whom three were negroes and two whites. All these negroes had white fathers, some now living there.

WHY PARKER LEFT THE COUNTY.

Q. When did you leave the county?—A. Between 12 and 1 o'clock on the night of the election. In the morning these clubs all came from every precinct in the county, to the number of six or seven hundred men. This club that came from the Rose Hill district, where General Hurst was on the day of the election, came in their shirt-sleeves, armed with knives, pistols, and guns, as were also all the other clubs. They galloped their horses around the square and dismounted, and, leaving their horses, jumped over the fence into the court-house yard yelling "Death to carpet-baggers," and ran into the court-house wherever they could get in. They searched the court-house for me. Then they sent to the hotel where I had been boarding. I had sent my wife away three weeks before the election, because she had become so frightened as to prevent me from attending to my business. They went there, and the madam told them that I hadn't slept in my bed that night. They then detailed parties to scout in the country, and they soon ascertained that I had left town with these other gentlemen. Then they detailed squads to scour the county, and guarded the roads leading from town night and day for three days. The people from town provided them with provisions, and they had their little picket fires at night, and kept up that thing for three days. They seized the jail and took the keys from my deputy, who had been with me for three years, a confederate soldier and a brave man. They took the keys from him and appointed another man to take charge of the jail. The colored man who was feeding the prisoners was run out, and they put in another colored man to feed them, and they held the town expecting that I would come back with a crowd of negroes. That was their excuse for it. They destroyed some property at the court-house and they ransacked everything trying to find something belonging to me about the office, and destroyed some of my private property, but it didn't amount to anything. Mr. Safford, this young man whom you have got here as a witness, was the clerk for the county registrars during the time when this was all going on. He was at the court-house when they ran into the court-house after me.

TWO YOUNG MEN HELD IN JAIL IN DEFIANCE OF LAW.

There are two men in jail there now whom they arrested that day. They are accused of creating an insurrection, or attempting to create an insurrection. What else they are accused of I don't know. They are committed to jail in default of giving five thousand dollars bonds apiece. I advised them to get a lawyer to draw up their papers, and go before a judge with a writ of *habeas corpus*, and get their bonds reduced. They did so, and Judge Smiley reduced their bonds to $300, which they gave and came out. They were threatened immediately that if they didn't go back they would be assassinated. Their bondsmen were also threatened and told that they must withdraw from their bonds. They came to town and consulted with the leading lawyers, and they advised them to go back to jail, and they are now there. There has been no court yet to try them.

TWO COLORED MEN SHOT.

Q. Who were the persons that made these threats?—A. Moses Jack-

son. When they arrested them they shot one man and killed him—shot him dead. There was an old man who was foolish. He was born in that way, and they said something to him, and he began to talk back, and they began to beat him. His brother, who was there, said, "You cannot beat him;" and they shot the brother and killed him. His name was David Johnson.

Q. Were they not indicted for it?—A. There is one man under indictment for doing that shooting and one as accessory.

Q. When will they be tried?—A. They were here at the last term in April, and their cases were continued.

Q. Are they under bail?—A. Yes, sir.

Q. What would be the effect if Moses Jackson were indicted and punished?—A. I think if Moses Jackson alone were indicted and punished it would have the effect to prevent anything more of that kind being done in the county.

THE REGULATORS TAKE ARMS FROM THE NEGROES AND THE MILITIA.

These same parties, to the number of four or five hundred in Amite County, just armed themselves and went over to Wilkinson County, and I have been told by a man who saw them that they came back with guns and pistols and horses, &c., that they had taken from the negroes as trophies of war. In the mean time they have got these guns that were issued to the militia under General Hurst. I instructed the jailer to take the ammunition that we had there and hide it that night, and he took it to a house in the outskirts of the town, where a colored man lived, and put it in there. When they broke open the jail and found it was gone the next morning, they caught the jailer and made him tell where it was, and they stole the ammunition and the guns. This legislature appointed a committee to investigate the matter of those State arms—where they were. They came down and found out all these things, and they declined to report, and never will report, for the reason that they found that their friends had stolen these arms.

Q. Have you seen any report made to the legislature?—A. Not of that committee.

Q. Do you know what that report is?—A. I understand that there was no report made at all. I tried to see what report they would make about those arms, and I have been watching the papers to learn, but I have not seen any report made. The adjutant-general of the State ordered those arms turned over to the State, but they were not turned over.

By Mr. CAMERON:

Q. What do you understand to be the facts in this Wilkinson County riot?—A. When the excitement occurred in Wilkinson County, some two or three weeks since, they sent couriers into Amite County. All these clubs moved right across into Wilkinson County. Whether they were there when those negroes were killed I don't know; but they came back with new horses, mules, guns, and pistols, that they had captured there, and they have got them yet.

J. R. STROTHER—AMITE COUNTY.

JACKSON, MISS., *June* 21, 1876.

J. R. STROTHER (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Amite County.

Q. How long have you lived there?—A. I have lived there three or four years.

Q. Where did you live before you went there?—A. I have lived most of my life in Holmes County; then I have been at Holly Springs since the surrender. I was there going to school.

Q. Is there a colored school or academy at Holly Springs?—A. Yes, sir; the State normal school and the Shaw University.

Q. State whether you attended or graduated at either of those institutions.—A. I graduated at the State normal school.

Q. When did you graduate?—A. I graduated, the 3d of this month was two years ago.

Q. What have you been engaged in since that time principally?—A. Teaching.

Q. Where?—A. In Amite County.

Q. Where were you during the last political canvass, prior to and on the day of election?—A. I was in Amite County.

Q. In what part of the county?—A. In Liberty, the county-seat.

AMITE COUNTY DURING THE CAMPAIGN.

Q. You may state anything that occurred within your knowledge in Amite County during the political canvass, in regard to the canvass.—A. During the political canvass I was a candidate myself for the legislature, and in canvassing in the county we met with many difficulties, and on going to Rose Hill, one of the precincts, before we got there—I didn't see them, but it was reported that there were about five hundred democratic people there armed at Rose Hill precinct, to prevent us from going there and speaking. So we went around another way, through the woods, and got to the place where we were to speak. Before the election they had taken this advantage.

INTIMIDATION BEFORE THE ELECTION.

I don't say that there was any intimidation on the day of election; but on the night before the election the democratic clubs all over the county went all night long—that is, went in the houses of the colored people and run them off, and fired guns all over the county that night, and ran colored people out of their houses; ran some in the woods, and some didn't get back—hadn't got back the next day when the polls closed. And on the morning before the election, on the day of the election, I had went to one of the precincts, Tickpaw, which is about sixteen miles, and it being such a distance I had to start very early, in order to get there early.

Q. For what purpose did you go there?—A. To see how the voting went on; and I met a great crowd of people returning home about an hour before day.

Q. White or black?—A. White. I didn't let them see me; I hid myself.

Q. Were those men whom you met at that time mounted and armed or not?—A. I couldn't tell whether they were armed or not in the dark, but they were mounted.

Q. How many did you estimate the number to be?—A. There was about a dozen I saw together.

Q. How far from Liberty did you meet those men?—A. About nine miles; it was very near the nine-mile post.

Q. Go on and state what occurred at Tickpaw.—A. During the election at Tickpaw—there was nothing said much until that day—I went on there and asked some of the gentlemen why was the riding and cutting-up so during the night before, and they pretended to me that they didn't know anything about it. I told them that I met several of them, and heard guns myself before I left Liberty, even, and that was sixteen miles from there. They said there was nothing at all in it, and of course I couldn't say anything more, and didn't say anything more about it.

THREATS AGAINST REPUBLICAN VOTERS.

There was a little cutting-up there that day, but it didn't amount to much. Mr. Reynolds got up during the voting and went out, and I heard some say that they stopped several from voting that day; they told them there that if they went to the polls there that day, and voted the republican ticket, they should not live any more on their places or eat any more of their meat and bread.

COLORED VOTERS KILLED.

Q. Who told you this?—A. I didn't know the gentleman that heard them say that. Before the election, down in the precinct of Rose Hill there were two colored men killed.

Q. Who were they?—A. I couldn't give the names of the persons. One was killed afterwards; William Deshields was killed since. He was one of the leading men of the club of colored people.

Q. For what reason did you understand these colored persons were killed before the election?—A. The only reason I heard for that was because they stood up and contended for their rights to vote the straight republican ticket—for their political opinions, and nothing else. The white people were armed and riding in clubs together, and they would meet all these colored people and get into a talk with them, and, as some people would speak their opinions out boldly, they started a fuss; and it required a great deal of prudence on the part of the colored people to keep out of difficulty. They went in at night and shot this man; and the other, they killed him in the day-time.

RELATIVE STRENGTH OF THE RACES IN AMITE COUNTY.

Q. About what are the relative numbers, white and black, of the population in Amite County?—A. The white is about 1,000, and the colored is 1,300.

Q. The voting population, you mean?—A. Yes, sir; the voting population.

REPUBLICAN TICKET COUNTED OUT AND REPUBLICANS RUN OUT.

Q. What was the result of the election in that county last fall? Which ticket was elected?—A. Well, in fact, the republican ticket was elected, but they counted us out, because on the day of election, afterwards at night, there was such threats put out that the republicans had to leave, and the next morning there was not a republican in town.

Q. Did you hear any of those threats yourself?—A. Yes, sir; I was there when this man, Mr. Hurst, and several of them from Rose Hill, with the sheriff, and Mr. Redmond, and Barrett, and Parker, and all had

to leave. I think every one left that night except myself, and I hid; and the next morning before I got up and came out there was a crowd in there then. They told me that we should not stay there.

THREATS AGAINST REPUBLICANS.

Q. Who told you?—A. The democrats told me right to my face, that, in fact, they were not going to allow us to be elected, and if we were elected they would not let us stay there. They were going to run the last one of us out; that is, the leading republicans, the white men particularly. They said that they didn't have anything against me; that it was the "carpet-baggers" they hated, and that they hadn't anything against me personally only that I belonged to the republican party. Personally they couldn't say anything against me at all. I had been a teacher there in the county. I went backward and forward from home during my attendance at Holly Springs; that was in '71—and, in fact, the truth is, the republican party was elected there without a doubt. I didn't see this myself; but it was stated that there were seventy-five men kept away from the polls at Rose Hill. They commenced firing right at the polls.

Q. You don't know anything of that yourself?—A. No, sir; I didn't see that.

By Mr. BAYARD:

Q. Where did you sleep the night before?—A. I slept at a gentleman's house named Peter Safford, where I was boarding.

Q. In the town of Liberty?—A. Yes, sir; my own place.

Q. How far is that place from Liberty?—A. Not more than three or four hundred yards.

NIGHT-RIDES OF THE DEMOCRATIC CLUBS.

Q. How do you know that the clubs of the democratic party spent the night before the election in riding about the county?—A. I heard them in the night when I got up about morning, because I started at one o'clock, and I heard the guns then; and others around me heard the guns and spoke to me about it; and I heard the guns myself when I was lying down, and when I got up to start they were still firing.

Q. Whom did you see that night?—A. I met about a dozen men; but I couldn't recognize any of them; but I knew they were white people.

Q. Where did you see them?—A. On the Tickpaw road.

Q. You were on horseback?—A. Yes, sir.

Q. And they were on horseback?—A. Yes, sir.

Q. And you passed close by each other?—A. Yes, sir. I rode down a hill and got off my horse, and stood and held my horse until they passed by.

Q. Did you see any other men that night?—A. No, sir.

Q. Did you see any more men on horseback that night, in the county, except those twelve?—A. No, sir.

Q. What knowledge have you that those men were riding all over the county that night?—A. Because I heard guns in different directions all over the county.

Q. Did you know who the men were?—A. No, sir; no more than I supposed they were democrats.

ABOUT THE COLORED MEN KILLED.

Q. Have you been injured yourself at all personally in the county?—A. No, sir; I have not been injured myself.

Q. Do you know by whom the two colored men were killed prior to

the election down near Rose Hill?—A. No, sir; we were never able to prove who it was. They tried to arrest Moses Jackson; but they never did get him arrested. At that time the democrats were urging us: They says, "You go and arrest him." They said that they couldn't do it.

Q. Where were you when that took place?—A. I was at home at Liberty.

Q. How far away from the scene of this killing?—A. From where they were killed it was about nine or ten miles.

Q. Then, what you know of it is what you learned from others?—A. Yes, sir.

Q. You know nothing of your own knowledge?—A. No, sir; I know nothing of my own knowledge about it.

Q. Were you at any other polls on the day of election than in Liberty?—A. I was at Tickpaw. I went to Tickpaw in the morning, and stayed there until late in the evening.

Q. Where did you vote that day?—A. At Liberty. I got back in time to vote at Liberty.

NO DISTURBANCES AT THE ELECTION.

Q. Did you notice any scenes of disturbance at Liberty before you left?—A. No, sir; I left there very early.

Q. How long were you at Tickpaw?—A. I staid there until 2 o'clock.

Q. Did you observe any scenes of disorder there?—A. No more than I mentioned about Mr. Reynolds.

Q. Did the people vote there?—A. They voted. All voted that were there; but there were quite a number that were not there.

Q. Did you see any one there prevented from voting?—A. No, sir.

Q. What time did you go back to Liberty?—A. I don't know exactly when it was, but in time to vote; before the polls closed.

Q. Did you stay there that night?—A. Yes, sir; I staid there that night.

ABOUT THE REGISTRARS AND OTHER ELECTION OFFICERS.

Q. Do you know who were the registrars of that county?—A. Yes, sir; I know them all. They are Mr. Kendrick, a colored man, and Mr. Ratcliffe and Mr. Garough [or Garron.*]

Q. How many of those were white?—A. Two of them.

Q. How many were republicans?—A. There were two said to be republicans; Kendrick and Mr. Garough.

Q. Do you not know that they appointed all the judges of election through the county?—A. I did not know that they did.

Q. Do you not know that that is the law—that the judges of election are appointed by the registrars?—A. I did not know for certain.

Q. You do not know whether that is so or not?—A. No, sir.

Q. Then you do not know whether the judges of election through the county were republican judges?—A. No, sir; I don't know whether they were. There was a little dispute about it. I don't know certain, but I know that they had two white and one colored man to every poll.

Q. I am speaking more in reference to their politics?—A. I think the sheriff had a hand in the appointment; that is, he gave his advice.

Q. Who was the sheriff?—A. Mr. Parker.

Q. A republican?—A. Yes, sir.

Q. A candidate for re-election, was he not?—A. Yes, sir.

Q. Who was the circuit judge of that district?—A. Smiley.

Q. Who was the chancery clerk?—A. Judge Osgood, a man at Woodville.

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* This name is given as "Garron" by Mr. Redmond.

Q. Do you know that they were both republicans?—A. Osgood is; Smiley is—the circuit judge.

Q. When was Smiley appointed?—A. He has been there some time; he was there when I went there.

Q. The sheriff was a republican—Mr. Parker?—A. Yes, sir.

Q. Do you not know that the registrars were appointed by those three officers?—A. Yes, sir; I remember it. I never paid particular attention to it, but I know this about it: There was some little dispute about it, that he didn't appoint men of their party. There was some little dispute among the people about that; but it didn't amount to anything.

By Mr. CAMERON:

Q. Where did you sleep that night after the election?—A. I slept at this same man's house that I mentioned before—Mr. Safford's. There was about five hundred people came that morning, yelling like wild folks.

S. P. HURST—AMITE COUNTY.

JACKSON, MISS., *June* 22, 1876.

S. P. HURST (colored) sworn and examined.

RECORD OF THE WITNESS.

By Mr. MCMILLAN:

Question. Where do you live?—A. I am now living here, [Jackson.]

Q. Where did you live in November, 1875?—A. In Amite County.

Q. Were you acting deputy United States marshal in November, 1875?—A. I was, sir.

Q. Did you go to summon some witnesses in Amite and Pike Counties at that time?—A. I did, sir.

Q. To appear before the United States grand jury in Jackson, here?—A. Yes, sir.

WITNESS IS ADVISED NOT TO GO TO AMITE COUNTY.

Q. Will you state anything that occurred while you were in the execution of your duties?—A. After I got to Summit—as far as Summit—I subpœnaed General Hurst, and he advised me not to go to Amite County, as a colored man, and I persisted in going. I told him I had determined to go, and he produced a letter written by General George to certain parties in Amite County, and he told me that the parties had refused to listen—to obey that letter—and under such circumstances he would advise me not to go. I also consulted with Captain Garland, and other prominent citizens of the place. They also advised me not to go, and if I did go to go to some other prominent leading democrats there; and I did as I was directed, and before I got there I was met by some men. I could not identify them. I did not know them.

Q. What prominent democrat did you go to?—A. Colonel Johns.

Q. For what purpose?—A. For the purpose of finding out the condition and state of affairs in that county.

Q. Who is Mr. Johns?—A. I learned then that he was the democratic chairman of the executive committee.

Q. What did you go to him for?—A. To learn the condition of affairs in his county. I told him that I was informed, and I had met several men, Dr. Barrett, Captain Parker, and a host of others, that had been driven out of the county, and I was down there in the discharge of my duties as deputy marshal, and I wanted to know of him

whether or not I could go there with safety. Captain Johns told me that he did not think that I possibly could, for on the day of the election, and the day following that, there had been a great deal of excitement. I told him that I did not feel disposed, unless he thought I could get through the county unmolested, to risk my life. He told me that it would be risky, that I would be met by some of the crowds that was raiding through the county, and up at Centerville, and they might take me for a spy. I told him that I would like to receive any information from him whatever that would carry me through the county; that I was quite anxious to get the witnesses before the grand jury; that was my instruction from the marshal.

RECEIVES A LETTER OF PROTECTION.

He told me, "If you are anxious to go, I will write you a few words to several gentlemen at Centerville, who will see that you are protected while there. I would advise you to be very careful how you go through the county;" and so he wrote me a letter, and I have got the letter now.

LIBERTY, MISS., *November* 16, 1875.

Messrs. L. G. CHAPMAN, T. N. L. ANDERSON, and others of Centreville:

GENTLEMEN: This will be handed to you by S. P. Hurst, deputy United States marshal, who visits your place in discharge of his official duties.

You will confer a favor on myself by showing him the consideration due the office, and by protecting him against either insult or injury, for even the action of a drunken crowd at this time may be construed into a grave charge against the whole community.

I write this at his request, because at a distance he has heard very bad stories about Amite County. Let him see for himself the falsity of the charges.

Yours, respectfully,

B. F. JOHNS.

I would say in regard to his writing it at my request, that I only asked Colonel Johns that if he thought that, I would be glad under the present circumstances, after having been advised by reliable men and prominent men, to secure anything that would safely carry me through the county, and I suppose he considered that as a protection to me.

WITNESS IS STOPPED BY A SQUAD AND USES THE LETTER.

When I got about five miles and a half from Centerville, making my way to Houston, to another gentleman I was to subpœna there, I was stopped again by five or six men. I suppose they had come up from Louisiana, it being close on the line; but I was not certain; I could not identify them at all. They questioned me as to my business, and they inquired after the republican officials who had left the county, and I was asked if I knew or heard of a man being shot at Rose Hill, and General Hurst being run out from there by his militia. I told them that I had. I told them that I was in hopes that I would not be molested, and they did not make any attempt at all to make an assault on me, only I was stopped and put such questions as that.

Q. Did you show them the letter you had?—A. Yes, sir.

Q. Who were the gentlemen to whom that letter is addressed; are they democrats in that county?—A. I am not very well acquainted with them. I suppose they are democrats, as Colonel Johns is one, certainly.

By Mr. BAYARD:

Q. Whose deputy were you?—A. Captain Lake's.

Q. What process was given you to serve?—A. To subpœna witnesses before the grand jury.

Q. Did you find them?—A. I did, all except one.

Q. And you made your service?—A. Yes, sir.
Q. And returned home?—A. Yes, sir.
Q. Without injury in any way?—A. No, sir.
Q. Were you disturbed in any way?—A. I was interpreted by some of the first crowd that I met very rigidly.

WALTER L. HAYNES—AMITE COUNTY.

JACKSON, MISS., *June* 24, 1876.

WALTER L. HAYNES sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Amite County, about four miles above the Mississippi and Louisiana line.
Q. Anywhere in the neighborhood of Rose Hill?—A. About four miles from that.
Q. What is your occupation?—A. I am a farmer.

FRANK POWERS.

Q. Do you know a man by the name of Frank Powers, who lives in Louisiana?—A. Yes, sir; I do.
Q. Is he a white man?—A. Yes, sir.
Q. Does he come much into Amite County?—A. No, sir; I think once or twice, or two or three times.
Q. Do you know what his reputation is in that community as to peace and good order?—A. I think very good, sir.
Q. Do you know whether Powers, to-day, holds any appointment under the State government of Louisiana?—A. Yes, sir.
Q. What is his office?—A. Tax-collector of the parish of East Feliciana.
Q. By whom was he appointed?—A. By Governor Kellogg.

PHILIP HAUGHTON—CHICKASAW COUNTY.

PERSONAL STATEMENT.

ABERDEEN, MISS., *June* 26, 1876.

PHILIP HAUGHTON, (colored,) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Okolona, Chickasaw County.
Q. How long have you lived in Chickasaw County?—A. I have lived there ever since the surrender.
Q. Where did you live before the surrender?—A. I lived at Ed. Haughton's, in Monroe.
Q. In Monroe County?—A. Yes, sir.
Q. Where were you for a month or two before the election last fall?—A. Well, I was in town there; stayed in town some time.

ARMED MEN AT THE ELECTION.

Q. Where were you on election-day?—A. I was on the ground in town, at the church.

Q. What did you see there that day?—A. That day I saw a great many men with their arms.

Q. White men?—A. Yes, sir.

Q. Well, what did they say or do?—A. They were whooping and hollering around there, "Boys, get your guns! get your guns!"—riding around and hollering.

Q. These white men said this?—A. Yes, sir.

Q. About how many were there on horseback?—A. Right smart little coop of them, I can tell you. It kind of looked distressful there, and I did not have time to count the number present.

Q. You can count some?—A. I can count a little, but I could not make it out that day.

Q. When they said "Boys, get your guns!" what did the men on horseback do?—A. They then came charging down the street.

Q. Were there any colored people there?—A. Some were at the polls, and the rest of them was up to the church from where they gave us orders to go in small squads.

Q. Gave orders to whom; the colored people?—A. Yes, sir.

THE COLORED PEOPLE RUN WITHOUT VOTING.

Q. When these white men came charging down upon them, what did the colored people do?—A. They commenced breaking, and they commenced running.

Q. Why did they commence running?—A. Well, they seed them come charging down with their guns. They did not have any protection noway, and they thought it was better to be getting out of the way if they meant what they said.

Q. You may state whether or not the republicans were frightened and running away; tell us all about that.—A. That is as much as I know about it, because I was not there very long. I was there when they came charging down and raising the alarm, and I got out of the way. I went to the polls, but I cleared myself away from there.

Q. Did you see any other colored men get out of the way?—A. O, yes, sir.

Q. A good many?—A. Yes, sir.

Q. Do you know whether any colored men left without voting?—A. Yes, sir; a good deal of them left without voting.

ONE GUN FIRED THROUGH JACK ADAMS'S HAT.

Q. Did you hear any firing at all?—A. Yes, sir; I heard the report of one gun; that was on ahead of me as I was leaving—down to the lower box as I was gwine out.

Q. Did you attend any republican meetings before the election?—A. O, yes, sir.

Q. How many did you attend?—A. Every time that they came on and called the men together.

By Mr. BAYARD:

Q. Who fired the one gun, Philip?—A. Well, sir, I don't know.

Q. You heard but one fired?—A. That is all.

Q. Anybody hurt there?—A. They shot a hole through the top of a man's hat.

Q. Who was he?—A. Jack Adams.

Q. Anybody injured?—A. No, sir.

Q. How long were you there?—A. I was going on behind them and I overtaken them. That was when they was showing me the hat what was shot there.

Q. That is all that you know of the hat being shot?—A. Yes, sir.
Q. Did you vote that day?—A. Yes, sir; I put my ticket in there.

By Mr. CAMERON:

Q. Did you vote before the white men came and charged down there?—A. They were just about coming when I was coming to the polls.
Q. Was Jack Adams a colored man?—A. Yes, sir.
Q. A republican?—A. Yes, sir.

E. D. HALL—CHICKASAW COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

E. D. HALL, sworn and examined.

PERSONAL RECORD.

By Mr. CAMERON:

Question. Where do you reside?—Answer. Okolona, Chickasaw County.

Q. How long have you resided there?—A. I have resided there about five years—six years since I come into this State; I came in February, 1870.

Q. Where did you reside before coming to this State?—A. I resided in Milwaukee, Wis.

Q. How long did you reside there?—A. I had resided there about five years previous to coming here.

Q. Of what State are you a native?—A. I am a native of the State of Vermont. I came from Vermont in 1838 to Wisconsin. I was one of the first settlers of Wisconsin.

Q. What business are you engaged in at Okolona?—A. I am now deputy collector of the revenue.

Q. How long have you held that office?—A. I have held that office about three years.

Q. What other office, if any, have you held in this State?—A. The office of postmaster at Okolona.

Q. How long did you hold that office?—A. About two years.

Q. Where were you during the political canvass last fall?—A. I was in Okolona.

Q. You may state how the canvass was conducted in your county; what was done?—A. I don't really know much about the canvass in the county, for I was in the office. I attended two or three republican meetings, and but two or three. I did not go into the country at all.

THE WHITES ARMED BEFORE ELECTION.

Q. State anything that came under your observation?—A. Well, I discovered that there was a good deal of preparation for the election by the white people, in supplying themselves with arms, &c.

Q. State what you discovered in reference to that matter.—A. I discovered that they brought in at one time quite a number of repeating-rifles, and I understand that they were brought for the white people there; that they had made up a fund and got them; and they were brought up from the depot and put in the bank, and they were delivered out from the bank to various individuals in the village.

Q. White men?—A. White men; yes, sir.

SCENES AT THE POLLS.

Q. Democrats?—A. Yes, sir. I was one of the judges of election on election-day. That is the reason that I know about what took place on election-day.

Q. Very well; go on and state that.—A. I took my place at the polls, in charge of one of the boxes, and the election was opened quietly and peaceably, and went on quietly and peaceably all the forenoon; and about 1 o'clock, I think, or perhaps a little after 1, we had a recess to eat lunch. It was brought in to us. There was a large crowd around in the streets, and a good deal of talking. I did not pay much attention to it, though. I heard some pretty loud talking, and I went to the door. I saw a colored fellow on a horse talking with one or two other colored men that were horseback; and the rest of the crowd were in the street. There was a little huddle of colored men right up next to the building. About all I heard after I came to the door was that "You must disperse your men up there in five minutes, or we will be after you."

Q. Who said that?—A. Some white men; I could not tell who said it. It was said to this man on horseback, this colored fellow, and he immediately wheeled his horse around and started off in the direction of the colored church. Let me explain a little: I had counseled the colored men particularly previous to this to be very careful on election-day, and not be around the polls in any great numbers; that they should come, a few of them, to the polls peaceably and vote, and go right away, and get out of sight—get away.

NO POWDER SOLD TO REPUBLICANS.

Q. Why did you give them that advice?—A. Because we apprehended difficulty. We knew that the white men were armed in the town, and we knew that the colored men were not armed; that they had no arms, and they had refused for two or three weeks previous to this time to sell the colored men or a republican a pound of ammunition of any kind.

Q. The merchants in town?—A. The merchants had. I myself, to test the matter, went around and tried to buy some ammunition, some cartridges, &c., and I was refused. My son went around also, and they would not sell him any.

Q. What reason did they have for refusing to sell you ammunition?—A. They did not give any reason, only that they had not got any. When this colored man started back toward the church there was a great deal of excitement, and I saw Colonel McIntosh——

A WHITE COMPANY IS FORMED AND MARCHES.

Q. Who is he?—A. Col. Bob McIntosh; and he said to them, "Fall in, boys! fall in! God damn it, fall in!" And he walked up and down on the street, right in the center of the street, and they immediately formed in company order, of about, I should think, fifteen or twenty men, armed. I took notice of their arms, because a short time before this there was a number of boxes of State arms stored in a store-house there belonging to the State, and that had been broken into and the arms stolen, and it was charged that the colored men had stolen these arms. I noticed, when they fell in, that about half of them were armed with these State arms, some of them with bayonets on. When they had got about fifteen or twenty men in line, either Colonel McIntosh or Tip Noe says, "March!"; and they marched right up the street in the direction of the church. I stood in the door and seen them; and after they left they were falling in from other directions on both

sides of the street. They went on, I should think, in this way until there were as many as thirty or forty white men. They marched out of sight of me, and after they went out of sight—you see I could not see the church, it was very hilly—I heard firing over there; and that is about all I know of that transaction. I then went back to the polls, and after a while we went to voting, and they came back. I did not see them when they did come back; and I do not know what took place up there, only from report.

IT FIRES VOLLEYS AND THE COLORED PEOPLE RUN.

Q. You may state the reports.—A. My son was at home at his house, which was in sight of the church; and when he heard the firing he went into the upper part where he could look out, and said he saw them going for the church; that there was 100 or 200, perhaps, there.

Q. Colored people?—A. Colored people. They were gathered together there to keep out of the way, and were lying around on the grass, and there was some in the building, though most of them were out of doors. There were some women and children there. They were eating their lunch, some of them, and some were at leisure, &c. When these men came in sight, why they began to fire their volleys, and the black people began to run; and he says it reminded him of a dog's going into a flock of sheep; they ran in every direction for the woods just as fast as they could run.

Q. What effect, if any, did that demonstration have in driving the colored people away and preventing them from voting?—A. It frightened them so that they did not dare to come to the polls. There was a little huddle of people right around the polls when this thing took place, and part of them had not voted; but a part of them came in and voted afterward; but I have no doubt that some ran away and did not vote at all, for after that happened a few came and voted, and then there was no colored men around any more.

RELATIVE PROPORTION OF THE VOTERS.

Q. What are the relative numbers of white and colored people in your county?—A. It is about equally divided; there are about as many colored men as white men. There is a majority of republicans, white republicans and colored republicans, in the county.

Q. Who was elected to the legislature last year?—A. I don't remember now; I ain't took any thought about the election since.

Q. Do you know whether a democrat or a republican was elected?—A. A democrat was elected, of course. The republicans did not elect anything.

WHAT OVERTON HARRIS SAID ABOUT DEMOCRATIC PLANS.

Q. The democrats elected the whole ticket?—A. Yes, sir; they elected everything. It is well understood, and it is not denied by any intelligent white man there, that they intended to carry the election. Overton Harris, one of the wealthiest men living in the county, was in to our place a few days ago, and was describing the matter to me, and says he, "Why, we calculated to carry the election. We expected to carry the election. It had got to be carried. If men had got to be killed, they had to be killed. We could not submit to this nigger rule any longer. We were bound to carry the election."

Q. Is he a leading democrat of the county?—A. He is a strong democrat, but he is not so active as some. He is a very old man and a very active man for his age, and is doing one of the largest planting businesses of any man in the county, and a very wealthy man, and he represents the sentiment of the democratic party.

TREATMENT OF NORTHERN EMIGRANTS.

Q. Have many Northern emigrants come into that country?—A. No, sir; there is not one-quarter as many as there was when I came six years ago.

Q. Why have they left?—A. Because they were ignored and ostracized and cut off from any social or any other enjoyments or privileges.

Q. For what reason were they ostracized?—A. Because they were republicans.

Q. Not on account of not being men of good character?—A. Not on account of being good citizens. I came down, my son and I, for the purpose of planting, or farming, as we call it North. We bought a farm and we went on there, quiet and peaceable, and were entire strangers in the country. We minded our own business and attended to our own affairs, said nothing about politics, took no part in politics, nor anything else, and we were just as much alone as though we had been in Kamtschatka. There was not a white man came into my house in three months. They paid no more attention to us than as though we were negroes.

Q. Is it generally so with persons from the North?—A. It was more so at that time than it is now with us, because I have been there now so long I have got well acquainted with everybody, being in the post-office, and minding my own business, and having no difficulty with anybody, and now I get along very well. There are a great many people that are social with us and treat us kindly. I have a daughter that has married down here since I came, and that has kind of took the wire-edge off a little, perhaps, and we are recognized a little more on that account. She married a Southern man.

By Mr. BAYARD:

Q. You came there six years ago?—A. Yes, sir.

Q. How long were you engaged in planting there?—A. I went there in February, and we raised our crop and staid there until fall, and then, when we sold our cotton, we sold our farm and expected to leave the country; picked up some of our things and expected to leave as we did not like the state of affairs; but at that time the people in this country were disfranchised and many could not hold office, and the post-office was held by a woman there, and it was very badly managed, and there was some few that had got acquainted with me wanted that I should take the post-office there, and I was induced to take it; and my son he went into the revenue-office; and we have staid. That is the reason why we have staid.

Q. You then became postmaster one year after you got there?—A. Yes, sir.

Q. How long was it before your son became revenue collector?—A. I don't recollect, but I think about a year or a year and a half.

Q. Before you got your office?—A. No; I don't know; he had got into the revenue office; he went in as a clerk in the first place, and I don't recollect exactly when he went in.

Q. You are his deputy?—A. No; my son and myself are both deputies of Colonel Shattuck, the collector.

Q. Who was injured in this firing at the negro church?—A. I don't think there was anybody hurt; I don't think they intended to hurt anybody if they could avoid it.

Q. How old a man is Mr. Overton Harris?—A. He is pretty near seventy years old, I think.

BLACKS REFUSED WORK UNLESS THEY VOTED THE DEMOCRATIC TICKET.

By Mr. CAMERON:

Q. Do you know anything of planters or farmers there threatening to discharge their hands unless they voted the democratic ticket?—A. I never heard them do it, but I have heard of it. A great many colored men have told me that they were told that they must leave; and there is one colored man that has now started, yesterday morning, for Oxford, summoned there as a witness before the grand jury. He is a representative man and a very good man; one of the best workers we have got anywhere. He had been on a plantation for a number of years, and there was a large number of hands on that plantation and around there. The white men they got together and passed a resolution that they would not employ any colored men that voted the republican ticket. He started and went around on the Mississippi bottom to see if he could not find places for them; and he did find places, and went with two loads—twenty-eight of them down, I think, he told me yesterday, to the Mississippi bottom; and he also, I think, found some of them places up near where I live with a very good man that is a neighbor there to me. There were a good many that were driven off; they would not have them because they voted the republican ticket.

ISAAC LUCAS—CHICKASAW COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

PERSONAL STATEMENT.

ISAAC LUCAS (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live in Chickasaw County.

Q. How long have you lived there?—A. I have lived there, as near as I can come at it, about 8 or 10 years.

Q. Where did you live before you went to Chickasaw?—A. I moved out of Monroe into Chickasaw.

Q. Out of this county?—A. Yes, sir.

Q. Where were you the night before the election last fall?—A. I was at home.

DEMOCRATS RUN PEOPLE FROM THEIR HOUSES AT NIGHT.

Q. Go on and tell us what you saw that night.—A. Well, sir, the night before the election they were running the people from their houses.

Q. Who were?—A. The opposite party, the democratic party.

Q. How did they do it?—A. Well, sir, they done it by slipping to their homes with arms, and going in and searching; and they put out threatening that they allowed to kill all the radicals; they allowed to have this election or wade in blood.

Q. Did you hear these threats yourself?—A. Yes, sir; I heard these threats myself.

Q. Who made them?—A. Well, sir, a Mr. Carlisle is the one that made them.

Q. What is his first name?—A. Lawyer Carlisle, a lawyer in Okoloma.

THREATS TO CARRY THE ELECTION OR WADE IN BLOOD.

Q. What did you hear him say?—A. He said they allowed to have this election; that they allowed to carry this election or wade in blood; they allowed to do it. All the men said that Mr. Bob McIntosh made

such expressions as that. I heard them, and frequently we could hear the men on the streets there talking that way, and I did not know who they were.

Q. You heard other white men make such threats?—A. Yes, sir.

Q. You say you heard a good many other white men?—A. Yes, sir; but I don't know who they were. They were standing about in squads talking. It seemed that they wanted the black people to get the threats of what they intended to do.

Q. The night before the election were the men that you have spoken of as visiting the colored men, on horseback?—A. They were horseback, riding out in the country and all around town, and running the people from their homes.

Q. Were they armed?—A. Yes, sir; armed with pistols and guns; shooting and going on with a mighty outrage fuss.

Q. Did they say what would happen if the colored people voted the republican ticket?—A. They said they would kill them, and they could not stay in the country.

Q. Did they speak that out loud?—A. Yes, sir; they spoke that out. I heard these remarks made openly.

REPUBLICAN BLACKS DISCHARGED.

Q. Do you know of any colored people being discharged from plantations because they would not vote the democratic ticket?—A. Well, Harry Hill ran them out of his; but after the election was over he persuaded some of them to come back, and some of them, I think, did go back.

Q. How many colored men did he discharge?—A. There was Mose and one fellow they called Burrell Bonney.

Q. About how many in all?—A. There was two left, and the women. Now, I knowed that. I don't know how many more did leave; but they said they run them all off; but I know that two left, and the women.

EFFECT OF THREATS OF DISCHARGE.

Q. Was it generally understood by the colored people that unless they voted the democratic ticket, or did not vote at all, that they would be discharged from the place where they were at work; what was the understanding about that down there?—A. Well, sir, the general understanding was this, that if they voted the republican ticket they should run them away from the place and give them no occupation at all. That was the general understanding, and the general thing a good many of them said was, "Well, if I vote they will run me off, and I will lose all my labor;" and that was the general thing.

Q. What effect did that have on the colored people; did it keep them from voting, and did it cause some of them to vote the democratic ticket?—A. It kept some from voting, and some would try and attempt to vote; endeavor to go to the polls and vote anyway; and some would not vote at all on account of losing their labor.

Q. Do you think that many colored people were frightened so that they were good democrats—are they democrats down there, the colored people, any of them?—A. I will say this: There is some of them overpersuaded to go with them, you know; and then others that did not want to go with them, but they tried to force them with them, you know.

THE WITNESS HAD A NIGHT VISIT.

Q. Did these men who were riding around, as you have stated, go into your house?—A. Yes, sir; after the election, Tuesday night, they came and scared my wife and children mighty near to death, and I ran out and ran under the house myself. That was Tuesday night.

Q. How man men came to your house?—A. As near as I can give—I could not say zactly how many men, but there was six or seven; somewhere in that neighborhood.

Q. What did they say or do when they came to your house?—A. I was laying on the bed when they came there, and I heard somebody coming, and I asked my boy to go to the window and see who was coming. It was rather dark and he could not see; and as he was looking out of the window he said, "Here they come, right here in the yard;" and they came right to the door and lunged against it just like they were going to bust it open. When they done that I jumped up myself and ran out and went under the house myself. When I got under the house they saw me, and one man went into the house and searched the house, and the others made me come out from under the house; and they says, "Who is this?" and I says, "It is Isaac Lucas." Says they, "Well, we don't want you; we are hunting for somebody else." Says I, "Well, you followed me about and tried to bust in my door, and, after the threatening that has been, I thought how you come to take my life, after I heard so many threats." Said he, "No, go back, you ain't going to be hurt; we are after some person else."

Q. Did they tell you whom they were after?—A. No, sir, they did not tell me.

THE ARMED MEN ON ELECTION DAY.

By Mr. BAYARD:

Q. Was Mr. Carlisle and Mr. Bob McIntosh on horseback and armed; did you see them among these people?—No, sir; I did not see them horseback and armed.

Q. Where did you hear them making these statements, Isaac?—A. On the street.

Q. Did they make them to you?—A. They made them, sir, right in my presence.

Q. Who were they talking to?—A. To the colored people; to men that they knew and to other men in their presence for them to get their voice.

Q. Mr. Harry Hill you say discharged some men?—A. Yes, sir.

Q. What did you say about his trying to persuade them to return?—A. After the election was over he persuaded Mose—Mose Wheeler, they call him; I think Mose Wheeler; at any rate it was "Mose;" I don't know whether he got Bonney back or not.

Q. Did he try to persuade other men to come back or not?—A. I don't know whether he did or not.

Q. You say that neither McIntosh nor Carlisle were among these armed people?—A. I did not see them.

Q. How many armed mounted men did you ever see there together during this last canvass?—A. I saw, I recollect, as near as I can come at it, about thirty men; may be a little more.

Q. Where and when?—A. They were marching right over the town, right over to the church where the black people were all, and they were coming down in columns to get a chance at the box; and they marched right up the main street, right west to the church; and when they marched up over there I heard their guns shoot twice.

Q. How do you mean—two guns shot?—A. I heard the voice of two reports.

Q. Was anybody hurt?—A. No, sir, nobody wa'n't hurt from these guns; but there was a hole shot in a fellow's hat—I didn't see that thing.

Q. Do you know who shot his hat?—A. No, sir.

Q. Did you known the man whose hat was shot?—A. Yes, sir, I know him well.

ISAAC BELL—CHICKASAW COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

PERSONAL STATEMENT.

ISAAC BELL (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Chickasaw County, in the town of Okolona.

Q. How long have you lived there?—A. I have lived there seven years, going on eight.

Q. What do you do?—A. Well, sir, I farms. I have been farming on one place there, called Captain Moore's place, Allen Mooré's place—for six years in succession.

Q. Do you own any land?—A. I own a small lot in town, about three-quarters of an acre, I reckon.

Q. The land you cultivate you rent?—A. Yes, sir.

Q. Did you take any part in the election last fall?—A. Yes, sir.

REPUBLICAN TICKETS TAKEN FROM COLORED MEN AND DEMOCRATIC TICKETS VOTED.

Q. What part did you take, and what do you know of the proceedings?—A. I was appointed by the republicans living in the town of Okalona, and by the mayor of the town, as a policeman to tend the election during the day. I seed a fraud that was practiced upon the election.

Q. What was it?—A. I seed men take tickets away from other men and I seed armed men come rallying around the ballot-box from up above the grave-yard down to the lower box, and scattering men who was fixing the votes. I seed the other column which left from down there went up to a place near the Baptist church, in Okolona, perhaps may be a quarter of a mile, and perhaps a little farther, and ran these men away from there what was there, and who wanted to go down and vote.

Q. Who were the men you saw taking the tickets away from the other men?—A. Well, I saw one man that I asked what his name was, and they called him Mr. Snoddy, I think.

Q. From whom did he take the tickets?—A. Two colored men; I could not find out who they were. I inquired a long time, but I could not find out who they were; but he took two tickets away from these two colored men, and gave them two democratic tickets, and I watched him and seed him shove them along up to the box, and he staid there until they voted them tickets.

Q. Did you hear him say anything to them?—A. I heard him ask them what sort of tickets they had, and they did not care about showing them to him; and he said, "What sort of tickets you got?" and they told him that they had the republican ticket. He says, "Let's see;" and he pulled one man's hand out of his pocket that he had his ticket in, and told him that that was not the ticket he had to vote; and then he did the same thing with the other man, and he gave them a democrat ticket and told them that that was the ticket that they must vote. I watched him particularly—stood and looked at him. He got them two men right before him and carried them right on to the ballot-box, and never let them away until they voted that ticket.

Q. Did you see Mr. Snoddy with any other colored men that day?—

A. Yes, sir; I seen him go up to another crowd, but I could not tell whether he taken that crowd or not; but I only speak of what I knew. I did see him take these tickets away and give them two persons democrat tickets.

MEN DRIVEN FROM THE POLLS.

Q. You spoke about seeing some men driven away from the polls?—A. Yes, sir; I saw the police right at the polls.

Q. Who were the men that were engaged in that and what did they do?—A. Well, sir, some of them was my friends and friends of the white republicans. I will tell you just exactly who these was. One of them was the man I live with, Captain Moore, a friend of mine, and has been for the last six years. Me and him always got along like brothers; and another was Mr. Carlisle, and another was Mr. Porter, another friend of mine, and Mr. Tip Noe, and Mr. McIntosh—he did not have no gun, but he was general of the crowd.

Q. Is he a lawyer there?—A. Yes, sir; Lawyer McIntosh—Robert McIntosh.

Q. Anybody else?—A. I saw two of Widow Van's sons, that are just alike so I don't know them apart—Professor Poor, who is a Baptist, and he cursed me; and that's the reason that I looked at him good. For he is a man of the same church I was in, and going along and cursing me.

Q. What did they do?—A. They came on up the street.

Q. By the way, did they have any arms?—A. O, yes, sir.

HOW THE COMPANIES WERE ARMED.

Q. What sort of arms?—A. There was about two companies of them. One company had thirty-two-shooters they said; and one company had double-barreled shot-guns, with wire-twist—buck-shot; and the other company had these Enfield guns.

Q. How many were there of these men altogether?—A. I reckon there was sixty or sixty-five.

Q. In all?—A. In all.

Q. What did they do?—A. They came on up the street shooting.

COLORED VOTERS RUN.

Q. Shooting their guns?—A. Yes, sir; three of the guns was fired, and that drawed the men's attention—those who was starting down to the ballot-box; and I told them that they had better go away; that they would get shot. When they commenced shooting these men started to run, and headed right toward Mr. Tucker's. I reckon there was about one hundred in that squad.

Q. Were they colored men?—A. Yes, sir; all colored men there. They run up toward Mr. Tucker's, and some police met them around at the corner, and tried to get them to go back to the ballot-box; and they said they would not; that they could not lose their lives on account of voting: and they could not get them back.

These men sent word to them that they would give them five minutes to get away from there, and if they did not that they would kill them right there.

HOW THE ARMED COMPANIES ACTED.

Q. What was the object of that; do you know anything about it?—A. Yes, sir; a man named Houston, and at the same time a boy by the name of Henry Anderson in town there, and Mr. Noe, and Mr. Pollard, came down there; Mr. Pollard had one of those shooters that shoots cartridges, about thirty-two shots, I reckon. They came down there and asked Henry Anderson what was these men doing there. Henry told them that the men there wanted to keep out of the way and keep them

from raising any disturbance with them until they could get a chance to vote. He went off and Houston followed him on down. He went down and told Mr. McIntosh—so Houston says—that there was three hundred niggers there. Mr. McIntosh said at that time—I never heard Mr. McIntosh say this, but this is what Houston says——

Q. Who is Houston?—A. Houston Farrish [or Parrish.] He said, "That won't do boys; get your guns!" and they got their guns. I met them with their guns right on the plank walk; and Mr. Noe said to me, "God damn you, you ain't attending to your business." I said to him, "I am a policeman and my business is all over the town to attend to this election." Says he, "Go on and tend to your business." I said, "I thought I was tending to my business." I went on and I met another man who was behind this squad, and he poked his gun up in my breast and said to me, "God damn you, what have you got your melish out here for?" I did not say anything, and I walked on down the street to the ballot-box, and when I got there there was several citizens asked me, "What shall we do?" I said, "Try to vote if you can." By the time I got down there I heard another yell, and I looked across toward the graveyard and seed this cavalry company coming in. They came right down by Colonel Carlisle's house, yelling and waving their guns as they rode by the upper ballot-box, and rode on down to the other box, and these men that was there commencing to vote, they broke and run.

Q. Who broke and ran?—A. The colored men.

THE VOTING SQUASHED UP.

Q. How many were in that lot?—A. There were about ten right there, crowding at the polls to get in, and they broke and run when this cavalry went by there waving their guns and hurrahing, and they went home. So that squashed up all the voting there, and I went home after all the voters were squandered. It seemed like they came there for a regular battle, and I did not stay any longer than I thought it was necessary for me to stay.

Q. Did you hear anything said at any time by white men about carrying the election?—A. Yes, sir, I did.

THREAT OF "FAIR MEANS IF WE CAN, BUT WE ARE BOUND TO HAVE IT ANYHOW."

Q. What was it?—A. I heard this gentleman, Mr. Moore—he says to me the night before the election—I worked there on his place, and that night he called me off aside and asked me what way was I gwine to vote. I says, "Captain, I never fools anybody; I always have voted the republican ticket, and I never have voted a scratched ticket in my life. All the fighting I does in the republican party is to fight the ticket before the nominations is made; but after the nominations is made, all my fight is gone." He says, "Now, I will not ask you to vote with me, but you just go off and have nothing at all to do with the election." I says "Well, captain, I can't do that." He says, "Well, I think it is best for you, because we are agwine to have this election; we mean to get it by fair means if we can, but we are bound to have it anyhow." It seemed to me there was an understanding betwixt him and Mr. Carlisle, for I seed Mr. Carlisle the next morning, and he asked me what Mr. Moore had said to me. I told him that he had told me not to have anything to do with the election. He says, "He gave you mighty good advice. You had better go off. If I was you, I would not have anything to do with the election." We talked together, and after a while I told him, says I, "Now, Mr. Carlisle, I always tries to be honest with everybody; if you ever see me vote a ticket to-day, it will be a republican ticket;" just that, and he went off and left me.

ONE HUNDRED AND TEN VOTERS RUN OFF.

By Mr. CAMERON:

Q. How many cavalry were there?—A. It seems to me like there was about 25 or 30 cavalry.

Q. Were they armed?—A. All of them had guns but one. I looked at that one good, and I wondered what he came for. He had a mule, and did not have any gun.

Q. How many colored voters were driven away by these military proceedings?—A. Well, I suppose—I think, sir, there was near 100 men that run away from the upper place where they was, to keep from being intimidated; there might have been more; and to my knowledge there was ten or twelve that ran right away from the box that I was at, not saying anything about the lower box. I don't know what left there. In my judgment, there was 110 men run from these two places, I have estimated, that did not have a chance to vote at all.

Q. Have you talked with any colored men since and inquired whether they voted or not?—A. O, yes, sir; I have inquired of a great many of them.

Q. What have they told you?—A. They told me that they could not vote; that they could not lose their lives to vote. I knew men right there at that time that never has failed to vote, and they did not vote because they were feared that they would get killed right there.

COLORED PEOPLE NOT ARMED.

By the CHAIRMAN:

Q. Were the colored people armed or not?—A. No, sir; they were not armed.

Q. Do you know about the colored people in your county, to what extent they have arms, own pistols or guns?—A. Yes, sir.

Q. What do you say about that?—A. Them people has got less arms, I reckon, than any that is anywhere around. We have always charged them to come quietly and peaceably, and I always have been a kind of leader in the republican party. I told them, "Now, men, these men don't want nothing but just one fire; I don't care whether you shoot at them or not, they will kill you dead; no use to talk about it."

ABOUT THE STATE "MELISH."

By Mr. BAYARD:

Q. Have you held any other office than this of policeman under the mayor?—A. No, sir; I was appointed by Governor Ames as captain of the melish, and that is what a great many of them had against me.

Q. When were you appointed by Governor Ames?—A. By this last legislature that went out.

Q. Had you raised a company?—A. No, sir; I had not raised my company.

Q. Had you any company organized when you were appointed?—A. No, sir.

Q. Did he send you a commission?—A. I received a letter from the legislature advising that I was appointed a captain over the melish.

Q. Did you never enroll a company?—A. No, sir.

Q. Did you speak to them about getting a company up?—A. I did say once or twice that we were authorized to get up a company of melish, and we were trying to organize. I reckon I got about twenty names, but after that order was countermanded—by some means or other—I disbanded them.

Q. Did you get any arms?—A. No, sir; got no arms at all.

Q. Any arms sent up there to the sheriff by anybody else?—A. There were some arms sent there some three years before, when we started to get up a melish; and they thought that it was raising animosity, and the colored people in our county never will do nothing that they think will raise animosity. We desire to live in peace and harmony up there, and whenever we start anything and we find it is doing harm we stop it. We started a militia about three years before that.

Q. Where were you when the polls opened that day?—A. I was right down at the polls.

Q. Was the election opened just as usual?—A. Yes, sir.

Q. How long did it go along quietly?—A. There was no disturbance, only men persuaded, up until about 3 o'clock, I reckon.

HOW A COLORED MAN WAS VOTED.

Q. You say you saw men taking tickets and voting men?—A. Yes, sir.

Q. Did they do it by just going up and giving them their ticket? Was it done in a good-natured way?—A. No, sir. He asked them, "Let me see your ticket;" and the man hesitated to show his ticket, you know, and he taken hold of the man and pulled his hand out of his pocket, and the man had a republican ticket in his hand; and he told him that that was not the ticket he was to vote. I think to my judgment that he forced the man to vote the ticket that he desired him to vote.

Q. Did he use any force to him or threaten him—use any arms or anything of that kind?—A. No, sir; I did not see him use none of that. Now, people don't need as much as that to give up anything.

By Mr. CAMERON:

Q. They don't need any threats?—A. Don't need any threatening to give up anything.

By Mr. BAYARD:

Q. How many people were around the polls then?—A. At the lower polls I suppose there were about thirty or forty people around at that time.

Q. How many white and black?—A. They were mixed up well.

Q. Who was this man you saw taking tickets from these men?—A. Mr. Snoddy. That was what they told me his name was. I inquired about it.

Q. Was he a man you knew?—A. I knew his face, but I did not know his name; he is a man that always comes to Okolona.

Q. How long did this election go along quietly that day?—A. Well, if you call that disquietly—do you call that quiet?

ABOUT THE FIRING.

Q. I was not there and I did not see it.—A. It went on in that way until about 3 o'clock.

Q. And then what happened at 3 o'clock; what was the first thing you saw that made a disturbance?—A. The first that I heerd that made a disturbance was the firing of that gun. I did not see anything until I heerd that, and when I heerd the firing of the gun then it caused me to look, and I seed it.

Q. Who fired that gun?—A. I seed the smoke out of the foremost rank. I don't know who fired it.

Q. How far off from you was it?—A. I suppose when they fired that gun they was about as far from me as from here to the well right out here.

Q. One hundred yards?—A. I suppose a little over one hundred yards.

Q. As far as across the street?—A. About eight times as far as across the street.

Q. About two hundred yards?—A. I suppose so.

Q. What people did that firing come from—what company?—A. It come from the foremost company.

Q. And that company was a company of white men and democratics?—A. Yes, sir.

Q. How many of them?—A. I suppose there were about fifty, perhaps, of that company. You remember I told you about another little squad I met after that; and after that I met a squad of cavalry.

Q. How many in the cavalry—twenty-five or thirty?—A. Yes, sir.

Q. And what other infantry company?—A. A little, small crowd—Professor Poor——

A BAPTIST CLERGYMAN'S REMARK.

Q. Is he a Baptist clergyman?—A. Yes, sir.

Q. And was he the one that swore at you as he passed by?—A. He told me to take off my badge. He said, "If you don't take off that red ribbon, damn you, your head will be on the ground."

Q. Was Lawyer Carlisle in that squad?—A. Yes, sir.

Q. Was Mr. McIntosh?—A. Yes, sir.

Q. Was Mr. Pollard?—A. Yes, sir.

Q. They were in a little squad by themselves?—A. No, sir; they were in the main body of sixty. Professor Poor was in that little squad behind the others; it seems he did not get his gun in time.

Q. Did you, or did you not, see some colored men on horseback in front of the polls that day before this company came up?—A. Yes, sir.

A SOLITARY HORSEMAN.

Q. How many?—A. I seed one.

Q. One man on horseback?—A. Yes, sir.

Q. You say there was but one?—A. I did not see but one.

Q. You must tell what you saw.—A. That is all I saw.

Q. Was there any difficulty between that colored man and anybody in the crowd?—A. Yes, sir; but I did not see the difficulty. I did not get there in time to see the difficulty, but I heard about it. This boy, Henry Anderson, was on a horse, and went down there to ask them what way would they want the black people to vote. They came up there every once in a while and asked what was they up there for.

Q. Who asked?—A. Mr. Pollard and Mr. Tip Noe; and they came up there grumbling several times. It seems like they wanted to raise a disturbment. Henry went down and asked them what way would they wish the colored voters to vote; "Any way that you says I will have them come and vote that way;" and Pollard charged his gun and set out to kill this Henry, and Mr. Savage Cluford seized the gun. Houston said that he presented the gun at Henry, and would have killed him if Mr. Cluford had not taken the gun. I saw them turning about in the street.

Q. Who was that man who tried to take Pollard's gun from him?—A. Mr. Savage Cluford. This Henry asked me to go back and scatter these men. He says, "These men will kill them if we don't get them away from there." I went up there as fast as I could go, and before I got there and came back to the box again they commenced that difficulty.

JACKSON ADAMS'S HAT AGAIN.

Q. Who was hurt by this shooting?—A. A man by the name of Jackson Adams was not hurt, but he came very near getting killed; he

had a hat just like this one [a high-crowned black felt hat] and he had a shot put through his hat.

Q. Did that come from the shot you heard first, or from those that came afterward?—A. From the shot I heard from the front company.

Q. What shot did you hear after that?—A. I heard two or three shots.

Q. Where was the shooting?—A. In the ranks.

Q. At whom?—A. I don't know who they were shooting at.

Q. Jackson Adams's hat was hit by the first gun you heard?—A. I don't know whether by the first one.

Q. I thought you said that the first shot you heard must have gone through Jackson's hat?—A. I said I heard only three shots; one of those shots went through Jackson's hat.

Q. Did any of these shots hit anybody?—A. No, sir; I don't think none of them shots hit anybody; never heard any one say anything that anybody was hit.

Q. Did you see anybody injured there that day in their person?—A. No, sir, no more than what I have said to you about running from the polls.

Q. That is not personal injury?—A. No, sir; not violently used in any way.

Q. Were you at any other polls during the day than this one?—A. I was at both of the polls; went from one to the other.

Q. Anything happen around the other one?—A. No, sir; only I saw some strange talking down at the lower polls. Where these men ran away from them was at the upper polls, at the mayor's office. I was not there then.

W. E. WEDDELL—CHICKASAW COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

PERSONAL RECORD.

W. E. WEDDELL sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. I reside in Okolona, Chickasaw County, Mississippi.

Q. Of what State are you a native?—A. Of Virginia.

Q. How long have you resided in Mississippi?—A. About sixteen years.

Q. Did you take any part in the late civil war; and, if so, in what capacity?—A. I went out at the commencement and remained to the end.

Q. In the confederate army?—A. Yes, sir; in the confederate army.

Q. What position, if any, did you hold?—A. I went out as a private and returned as a lieutenant.

Q. What is your occupation now?—A. I am now editor of the Prairie News, published at Okolona.

Q. How long have you edited that?—A. Well, sir, I have been editing that since 1869; the spring, I think, of 1869.

Q. Where were you during the political canvass preceding the election in your county?—A. In Okolona.

Q. Did you take any part in the canvass?—A. Yes, sir; up to the middle of October. I was then stricken with neuralgia of the eye, and

had this left eye closed; and from that time on I took no part in the canvass. I never got well until about the 1st of December.

Q. Where were you on election-day?—A. I was at my residence in the town of Okolona.

Q. Did you, during the canvass or on election-day, see any military companies in the streets of your town?—A. Yes, sir.

Q. You may state what you saw in reference to those companies.—A. As I said a minute ago, I was attacked with neuralgia of the eye and was confined at my house; and while I was in my room my servant-girl came running in and said they were fighting down town.

ARMED MEN AT THE ELECTION.

Q. When was that?—A. It was the day of the election; I think about 1 o'clock, as near as I can recollect; and just about that time I heard a tremendous whooping and hollering, and I went on my back gallery facing the main street, and as I got there I saw a military company marching from behind the buildings passing up the street, going west.

Q. White men?—A. Yes, sir.

Q. Were they armed?—A. Yes, sir; they all had arms, every one of them, and were marching at shoulder arms.

Q. About how many were in that company?—A. As near as I could guess from where I was, I should say there were thirty, perhaps thirty-five, may be forty. They passed on up to a house, and some one came out. I think it was Mr. Carlisle's residence, and he came out and said something to them which I couldn't understand—I was too far off—and they took off their hats and gave two or three shouts and then passed on up the street toward the colored Baptist church, and presently I heard a gun go off, and afterward I understood that they shot through a colored man's hat, but did not hurt him otherwise than shooting him through his hat. They passed on out to the church, and I couldn't see any more; but I understood that they scattered them. In the mean time they, the colored people, were scattered all over the country, just running in every direction. I saw a good many come up through my lot and through other lots adjoining.

Q. These colored men who had been at the colored church?—A. No, sir; they had been down street where the polls were; they were running toward Tallibonela Bottom, about a mile north of the town. What they did at the church I don't know only from hearsay.

Q. Did you see a cavalry company in the town the same day?—A. Yes, sir.

Q. State what you know with reference to that company.—A. To the best of my recollection, about fifteen or twenty minutes, and it may have been a little longer, after the passage of the military company west on the main street, I heard again a very loud noise, whooping and hollering, and went again on my back gallery, and just about that time there was a cavalry company came in in their shirt-sleeves, and whooping and hollering and swinging their guns about, coming in at full speed, and rushing up the main street toward the colored people that had congregated in the mean time on the main street; and there was another stampede took place in the same direction, toward Tallibonela Bottom.

EFFECT OF THEIR ACTS.

Q. What effect did that military display have, if any, in scattering the colored people and preventing them from voting?—A. The colored people knew nothing about the military, and when they came rushing in, hearing these reports—there was a very large number of them—they

scattered for self-protection. The air was full of reports and various kinds of rumors.

Q. State generally what those reports were.—A. They were that they would not be permitted to vote, and if they attempted to vote they would be killed. I also saw some men riding up on the same street that I live on about that time—a military company passing up the street riding at full speed. Each one had a rifle, and they were going toward the colored Baptist church. I heard that they went to the church and searched around there; but I didn't hear that they committed any depredations about the church.

THE STATE ARMS SEIZED.

Q. Do you know of any State arms having been received at that town; and, if so, what was done with them?—A. Yes, sir; there were four cases of State arms, to the best of my recollection, shipped there in 1873 by Governor Powers, now ex-governor. It was for the purpose, as I understood then, of organizing the militia. Two cases were deposited in a grocery-store belonging to E. M. Walker. I think it was, perhaps, three weeks before the election that these cases were taken out and carried down on another street back of a brick warehouse in a gulley. The path that I travel home every day when I go to my meals passes through this gulley; and I found the cases the next morning lying in this gulley. The cases were bursted open and the guns all gone. Well, I saw Colonel Shattuck, the internal-revenue collector there, and told him about those arms being taken out, and advised him to write to General Packer, the adjutant-general of the State, and tell him that the guns had been taken out and that he ought to collect them up; that I didn't think either party had any right to them, and they ought to be taken care of; and he did write to General Packer, but General Packer never paid any attention to them, and the guns were never collected up. Those guns I understood—now, I don't say this myself—were seen on the streets and belonged to that military company that marched up the street that day.

Q. Was it or not reported that they had been stolen by the colored people?—A. That was the report that they first put out; that the store was broken into and the guns taken out, and it was supposed to have been done by the colored people; but any one that saw the store and the way the doors were fixed knew it was impossible to break into the store and get them out without somebody knowing it; and the doors were not injured or anything of the kind. About that time they received—I don't recollect how many cases of repeating-rifles. They were brought from the depot and deposited in the Okolona Savings-Bank, and from there the parties to whom they belonged came down and took them out the next day, I think, after they were received. I don't know whether they were the Winchester rifle or what they were, but they were a repeating-rifle.

REGISTRATION-PAPERS TAKEN FROM THE BLACKS.

Q. What, if anything, do you know or have you heard in reference to armed men taking registration-certificates away from colored voters?—A. Well, sir, all that I know about that is from what others have told me. Judge Pollard, who was formerly chancellor of the district in which I live, was one of the judges of election at Houston, the county-seat of the county of Chickasaw. I think that he said that he took a memorandum of them, and I think there were one hundred and sixty, to the best of my recollection, of registration-papers taken from the negroes round about Houston.

Q. By whom, as you understand?—A. By armed men riding around that night. I think it was on Saturday or Monday night preceding the election. I understood that it occurred all over the country the same way. To the best of my recollection there were six organized companies in the county on the day of election. These companies, as far as I could understand, didn't belong altogether to the county of Chickasaw; parties came from other counties. Chickasaw has a small republican majority, not more than, perhaps, 250 or 300. Men came from Lee County into Chickasaw on the day of election. There was a whole train-load from Lee County passed down about nine o'clock on the day of election past Okolona to Egypt, a station seven miles south of Okolona on the Mobile and Ohio Railroad; and some depredations that were committed in Chickasaw County I understand were done by these men from other counties.

NO DANGER FROM THE NEGRO.

Q. What did you understand the duties of these military companies were; what were they for?—A. There is only one motive that I can see, and that was to control the election. That is the only motive that they could have had, that I could see. They couldn't have had any idea of trouble with the negroes, because anybody that knows anything about the negro knows that he would not have made any trouble.

Q. Hence that there was no danger whatever?—A. No, sir; no danger in the world—because the negro has no arms, in the first place; and, in the second place, they refused to sell him powder or shot, or any kind of ammunition, for a long time before the election; and many white republicans—I never tried it myself, but I know others that did try it—couldn't get any, and the negroes couldn't get it at all.

Q. Were you waited upon by a committee, who requested you not to publish an account of these proceedings?—A. Yes, sir.

AN EDITOR INTERVIEWED.

Q. State the facts in regard to that.—A. Well, sir, there was a gentleman said that he had been requested by a meeting of some of the leading men of Okolona to call on me, and to know what I was going to say in my paper in reference to the election. I stated to him that I did not know what I would say; I did not know as I should be able to say anything, as I was then suffering very badly with my eyes, and couldn't see out of one of them at all; but if I did write anything I should give an account of what I actually saw and knew to be facts. He asked me, "What did you see?" I related to him just about the same as I have related to you now. He remarked to me, "Then you have seen the worst." I told him that I did not know anything about that; that I did not propose to take hearsay testimony at all; that I was going to give a true version of what came under my own observation—what I saw myself. He went on then, and said that the excitement was running high, and that it would be very imprudent to launch out into anything that would offend the people there; that there was danger in it, and that he would advise me to just be as moderate as possible.

I was waited on that same night by another gentleman, a democrat, by the way, and a personal friend, and he told me that I was liable to be assassinated at any time, and advised me to be on my guard. He did not state anything about where he got his information from or anything of that kind, but said, "I tell you as a friend to remain at home and be on your guard." Whether there was any danger or not, I cannot say. I know this, that the feeling was very bitter and very vindictive. I have been a citizen there for the last sixteen years, and I have always

conducted myself in a gentlemanly manner, which democrats and republicans and everybody else will testify to. Nobody can say anything derogatory of me; and why they should threaten me with assassination I don't know. I know that I never gave them any cause for it.

DEMOCRATS ELECTED.

Q. Who was elected to the lower house of the legislature of this State from your county?—A. General W. F. Tucker and a gentleman by the name of—he lives at Sparta, and I forget his name.

Q. Both democrats?—A. Yes, sir.

Q. What counties constitute the senatorial district with yours?—A. The counties of Chickasaw and Monroe.

Q. Who was elected to the senate from those counties, if any one?—A. Col. Reuben O. Reynolds.

Q. A democrat?—A. Yes, sir.

Q. Is the district republican?—A. Largely.

Q. Is your county republican?—A. Yes, sir; our county is not largely republican. I think on a close vote we have from 250 to 300 majority in the county. Monroe has given on a fair vote sometimes as high as 1,200 republican majority.

LABORERS' CONTRACTS FORFEITED BY VOTING REPUBLICAN TICKET.

Q. Have you seen any contracts entered into by negroes with white persons by which the negroes agree to forfeit their rights, whatever they may be under the contract, in the event they vote the republican ticket?—A. Yes, sir.

Q. State the nature of those contracts, and how general they were in the county.—A. The first intimation that I had that there were such things in existence was last winter, I think it was—perhaps along in January or February—and I published it. I gave notice through my paper. I wrote an article on it, warning the people of the county not to enter into any such agreement or arrangement with the freedmen; that it was wrong in both theory and pratice, and probably would finally lead them into some difficulty. I advised them in a gentle spirit; and I never heard anything more about it until, I think it was last week or week before last, when I happened to get hold of one of the original contracts.

I had heard it from a gentleman from Tennessee in the first place; or rather I heard it through Colonel Shattuck, the revenue-collector there. The Tennesseean had been down to Buena Vista, and while he was in the store of U. S. Williams there, a gentleman came into the store and asked Mr. Williams for a blank contract; and he told him he didn't have any blank contracts on hand; that they were all out; but that he could come there to his desk and write one; that he would tell him what it was: and this man came to Okolona, and told Colonel Shattuck what was in it. It was just a common laborer's contract, except down at the bottom; about three or four lines from the bottom it went on to state, as near as I can remember, that "I further pledge that I will vote as the land-owner; and, in case I fail to vote as he does, I forfeit all my right, title, and interest to the said crop."

LEADING REPUBLICAN BLACKS DISCHARGED AFTER ELECTION.

Q. What information have you as to the extent to which these contracts were entered into by the freedmen?—A. My understanding is that it was general, all over the county, because the democrats there have their clubs, and they have been publishing part of their proceedings—making them public—directly after the election; and they first

went in and discharged all the leading colored republicans of the different clubs in that county.

Q. The persons by whom they were employed discharged them?—A. Yes, sir; discharged them, and said they were not to hire those people at all.

Q. Did they discharge them before the election?—A. No, sir; after the election. They discharged a great many of them; and then they got up these contracts pledging those men that they did hire to vote as the man from whom they rented the lands, and in case that they failed to vote that way that they forfeited all their interest in the crop.

ABOUT THE FORFEIT CONTRACTS AGAIN.

By Mr. BAYARD:

Q. Is this newspaper of yours published weekly?—A. Yes, sir.

Q. Have you ever published in that paper a copy of these contracts that you speak of?—A. No, sir; I never got hold of a copy until a week or two ago.

Q. How many such contracts have you seen?—A. I have seen but one genuine copy.

Q. Was that signed by two parties?—A. Yes, sir.

Q. Who showed it to you?—A. It was shown to me by a man by the name of T. L. Jordan.

Q. Between whom was the contract made?—A. It was made between, I think, T. D. or J. D. Paine and Gay Brand. The witness was T. J. Paine.

Q. How long did that contract last?—A. For the year 1876.

Q. For labor at so much a month?—A. No, sir; for half of the crop.

Q. What do you know of the existence of other cases of that kind?—A. I heard it, as I said awhile ago, from a gentleman that was at Buena Vista; this Tennesseean came up and told Colonel Shattuck, the revenue-collector, about U. S. Williams having these contracts, and this man, a farmer, calling in there and wanting to get one.

Q. Who is this man who has the blanks for sale?—A. It was Williams that had them. He came in there and asked U. S. Williams for one.

THE ARMED MEN AT THE ELECTION.

Q. From your back gallery on the day of election could you command a view of the polls?—A. Right near where the polls were—yes, sir.

Q. Of the polls toward which this military company proceeded?—A. Where they organized it. They organized it in front of that poll.

Q. You had not seen this military company preceding its appearance at the time you mention?—A. No, sir; I could just see when it emerged from the buildings.

Q. Did you see or hear of any cavalry that day in town?—A. Not until that cavalry company came in there.

Q. How long after you had seen this military company?—A. I suppose about fifteen minutes.

Q. Do you know what it consisted of—the cavalry company?—A. It consisted of men mounted.

Q. I mean what number.—A. I could not tell.

Q. You did not see them yourself?—A. O, yes, sir. I should judge that there were about twenty-five or thirty of them.

Q. How were they armed?—A. Some had shot-guns, and some had navy pistols.

Q. Do you know any of the parties composing that company?—A. I know the man that led them.

Q. Who was he?—A. Capt. W. G. Stoval.

Q. Where does he live?—A. He lives at Okolona.

Q. Were you ever yourself a member of any of these companies?—A. No, sir.

Q. You spoke of their purpose: have you any knowledge of their purpose whatever, except as a mere matter of surmise of your own?—A. Well, sir, I have no definite information except what transpired under my own observation, and what I have been told.

CAVALRY VISIT THE REPUBLICAN CLUBS BEFORE ELECTION.

Q. By any of the members?—A. No, sir; not by any of the members; some of the other citizens. To the best of my information, a cavalry company visited nearly every republican club in the county the night preceding the election.

Q. You have information to that effect?—A. Yes, sir.

Q. From whom derived?—A. Derived from various parties.

Q. You desire the committee to believe that as a fact?—A. I just state it for what it is worth. I cannot tell whether it is a fact or not. It is merely a report; I believe it.

Q. Did that cavalry company, headed by W. G. Stoval, visit every republican club in your county?—A. No, sir; I didn't say that. They were visited by cavalry companies. I understand that there were six cavalry companies in the county.

Q. Had you seen them?—A. No, sir. I know of one other company, and the captain of it, that operated in the western portion of the county.

Q. Give us his name.—A. W. B. McDowell.

THE MILITARY AT THE ELECTION.

Q. Who was in command of the military company of thirty-five men you saw marching at 1 o'clock p. m.?—A. Col. J. W. McIntosh.

Q. Was Mr. Carlisle in company with them?—A. No, sir; not when I saw him.

Q. Did he go with them?—A. I do not know whether he did or not.

Q. How far is his house from the poll?—A. I suppose about one hundred and fifty yards; and mine very little farther, except he lived on one street and I on another.

Q. Do you know whether he went to the polls, or whether he had been at the polls?—A. No, sir; I do not know anything about that.

Q. Did he come out of his house?—A. He came out on his front gallery.

Q. How far was that from you?—A. Just one square—not one square, because the house sits back in the lot.

Q. You could not hear what he said to this company?—A. No, sir.

Q. They shouted and passed on, leaving him there?—A. To the best of my recollection they left him there. I did not see him there afterward.

Q. Who was Judge Pollard?—A. Formerly the chancery judge of the seventh chancery district of the State of Mississippi.

Q. Does he live in Okolona?—A. Yes, sir.

Q. With which political party does he affiliate?—A. The republican party.

REGISTRATION-PAPERS TAKEN FROM REPUBLICANS.

Q. It was he who told you that one hundred and sixty registration-papers had been taken from negroes?—A. To the best of my recollection; I would not state positively that it was one hundred and sixty.

Q. When did he tell you that?—A. Just after the election; and that he permitted some of them to vote from whom they had taken registration-papers.

Q. Was he judge of the election?—A. Yes, sir.

Q. Who was it called on you as a committee to know what you were going to say about the election?—A. General W. F. Tucker.

Q. Who was the second person who called?—A. I do not like to tell that if I can get out of it.

Q. What would be your reason?—A. The reason was that he requested that his name should not be connected with it. He was a democrat himself, and he was a merchant there, and he said it would injure his business, and he requested me not to give his name.

Q. Was not W. F. Tucker a democrat, too?—A. Yes, sir; but this other man is a merchant there, and he told me as a friend, and requested that I should never say anything about it.

By Mr. CAMERON:

Q. He went confidentially to you?—A. Yes, sir; he told me confidentially.

Mr. BAYARD. I don't know that I care to put you to any inconvenience on that account.

The WITNESS. I can tell you privately.

Mr. BAYARD. O, no; it is not a public affair, and I don't want to annoy you.

The WITNESS. It would not annoy me, but it might annoy him.

W. F. TUCKER—CHICKASAW COUNTY.

ABERDEEN, MISS., *June* 27, 1876.

W. F. TUCKER sworn and examined.

GENERAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. At Okolona, Chickasaw County.

Q. What is your occupation?—A. I am a lawyer, sir.

Q. How long have you resided in Chickasaw County?—A. I have resided there for thirty-six years, I think.

Q. Where was your home prior to that?—A. I am a North Carolinian by birth.

Q. Were you in Mississippi during the election of 1875?—A. Yes, sir.

Q. Did you take an active part in that canvass?—A. Yes, sir.

Q. On which side?—A. I was one of the democratic candidates for the legislature.

A FAIR ELECTION—NO FRAUD—NO INTIMIDATION.

Q. Will you give us a history of the canvass; make a short statement?—A. What do you wish to attract my attention to particularly?

Q. The committee is charged with the investigation of the fact whether there was intimidation and fraud in the election in Mississippi in 1875, and whether people were prevented by those means from the exercise of the elective franchise particularly; and it has been alleged here by witnesses from your county, both colored and white; several colored men have been called on and have stated the condition of affairs in Chickasaw, and have spoken of some disturbances that occurred at the election; please give your statement as to these things.—A. I have only got this to say with regard to the fairness of the election: First, that it was a fair election so far as my knowledge goes; if there was any fraud or intimidation in the county I certainly didn't know of it, and I

never heard of it. I have heard it charged, but I have never known an instance in the county. As far as I know every man voted just as he chose.

There was on the part of the democrats a very strong effort made to carry the county. It was made because we were compelled to overthrow the rule of the negro which was becoming unbearable. The county officials had not been satisfactory and our representatives to the legislature had brought disgrace upon our county and upon our State, and we had determined, if it was within the power of mortal man, to carry the election, and we worked with all our might and main to secure that end. We accomplished it, though, by hard work and fair means, as far as I know, and I think anybody who charges otherwise either does not know the facts, or purposely misrepresents them.

Q. The name of a gentleman has been mentioned, Mr. Carlisle, a lawyer, as having been there; where is he now?—A. At Saint Louis.

Q. A delegate to the democratic national convention?—A. Yes, sir.

Q. Do you know J. R. McIntosh?—A. Yes, sir.

Q. Where is he?—A. His father was thrown from a buggy last Sunday morning, and has been speechless ever since, lying in the very agonies of death almost.

OKOLONA ON ELECTION-DAY.

Q. Were you at the polls at Okolona on the day of election?—A. I was there from 11 o'clock; I got there about 11 o'clock. I made a speech the night before some twelve miles off, and didn't get back until 11 o'clock.

Q. Was you there about 1 o'clock?—A. No, sir; I had gone home to dinner. I live a short distance out of town. You refer to the fracas at that place?

Q. Yes, sir.—A. It was alleged that there had been such a thing. This party was just returning as I got into town. I went immediately to the polls and I found the voting going on quietly as usual. It was at the Baptist church where it was alleged that this thing occurred, though there was no collision, as it was reported, for the white people did not go within two or three hundred yards, perhaps, of the church. When I got there they were just returning and the voting was going on, and never was disturbed at the polls. In the course of the afternoon, though, after that thing occurred, I was informed that the sheriff of the county had gone to the polls below—the one I was not at at that particular time—and had told the colored people that they could not have a fair election, and to go home.

Q. What was his name?—A. James B. White.

Q. It was said that a colored man had gone down there, using his name, and told them to disperse and go home? I went to him and asked him if he had said so. He said, upon the contrary, he had told them that they all could vote, and to stay and vote. I know that everybody was allowed to vote just as they pleased, and nobody was driven from the polls. On the contrary, everybody was told that they could come and vote just as they pleased.

DEMOCRATS MADE VERY STRONG EFFORTS TO PREVENT INTIMIDATION ON THE OTHER SIDE.

So far from there being any intimidation on the part of the democrats, there was a very strong effort made to prevent intimidation on the other side. Hitherto we had allowed the negroes to control their own color and vote them just as they pleased; but at this time the white people said that they should not force colored men any longer to vote the republican

ticket if they didn't want to. It was an effort on our part to prevent intimidation rather than to intimidate anybody.

Q. Isaiah Bell, a colored man, has testified here that he was a policeman at the polls that day. Did you see him?—A. No, sir; I did not see him at the polls that day.

Q. How long were you at the polls that day?—A. Well, sir, I was at the polls some two hours in the morning from the time I returned, and was there from half past 1 until they closed.

SAW NOBODY TAKE REPUBLICAN TICKETS FROM NEGROES.

Q. Did you see while you were there any such thing as a white man taking tickets from the negroes and insisting upon their taking democratic tickets in their place?—A. I saw the ordinary means of electioneering pursued by both white and colored. Each party proposed to vote as many on their side as was possible, but I never saw anybody take a ticket away, and I know it did not occur.

Q. What military company is this which has been stated by several witnesses to have turned out that day and come to the polls somewhere about 1 o'clock—one witness said 1 o'clock and another said 3 o'clock—but at the time that the disturbance took place at the polls at which Isaiah Bell staid as policeman, it was testified to have been apparently without cause. I want to know whether you know anything of the cause of the appearance of that military company on the street.—

INCENDIARY REPUBLICAN SPEECHES.

A. Yes, sir; I know the cause, as alleged; I was absent myself. It was alleged that a colored man—in the first place I will premise by saying that the public mind was in a feverish state; there had been incendiary speeches by a number of republicans in the county, in which they threatened the lives of the white people. Now, a man who was running against me for the legislature, and was a leading colored man of the county, was asserted to have said that they intended to carry that election if they had to cut off the head of every democrat in the county. I did not reply to that charge until I heard it from those who heard him state it, and then I did charge it upon him as being an incendiary himself, and that he was a man who made incendiary speeches.

I know of other speeches of the same sort. General McKee came up there and made an incendiary speech, in which, I was told by those who were present, that he told them they must go to the polls every man and vote the republican ticket, and carry it if they had to wade through blood and hell to carry the election.

Chancellor Frazee, who lives in my town, made speeches of the same sort, and so did Mr. Hodges, who was running for the senate, and who lives in this town.

COLORED MILITARY ORGANIZATIONS.

The colored men had organized companies and had been drilling by night. They had bought ammunition and attempted to buy more, but they could not get it, because when it was found that they were organized and proposing to buy ammunition, they stopped selling to them. That created a feverish state of excitement all over the county, and it was anticipated that something serious might occur, and as a necessary consequence they were ready to take offense, and to place themselves on the defensive.

RUMORS OF NEGROES MASSING.

It was stated that quite a large number, from three to four hundred colored men, had massed themselves at the Baptist church, which was

about half a mile from either of the polling-places, and that they were sending men to vote spurious tickets, having the registrar's certificates of other colored men—men who had gone to the Bottom; and that they voted, also, upon registration-papers of men who were dead. A patrolman was sent out to investigate, and he did so to some extent; but he came back without discovering anything.

They told them to disperse and go down town if they wanted to vote; that the streets were free, and it was improper for them to be massing up there and creating a disturbance; but instead of dispersing, a rumor came that they were massing in larger force. I was not present, but that was the explanation that was given to me on that morning when I came in; that they were distributing arms and ammunition up there.

I cannot say that there was a military company; I have heard that there was, and that that company was called out; that all the whites were asked to fall in. It was understood that there was danger from the colored men; that the lives of the citizens, and women, and children were in danger, and everybody fell in that could get something to fight with. When they went out and found that the negroes were dispersing instead of making a fight, they quietly turned around and put away their arms.

A CAVALRY COMPANY IN TOWN.

Q. What do you know of a cavalry company?—A. I know that there was a cavalry company, and I know a good many members of it. I cannot say that they were cavalrymen, but they were mounted men.

Our district is divided into two beats. One of the polling-beats is at Egypt and the other at Okolona; and when it was reported down town that the negroes were massing at the church, and that arms and ammunition were being distributed, and that a collision was inevitable, (supposed to be,) that company was telegraphed to, and they came as fast as their horses would bring them. They came rapidly, dismounted, and quietly dispersed through the town. No man was driven from the polls, and not a word of violence was used at the polls, for I was at the polling-place at the time when they dismounted. The colored men just voted on as quietly as the white people did.

Q. Were you at the polling-places after this disturbance?—A. Yes, sir.

NO INTIMIDATION THEREFROM.

Q. As a matter of fact, was there any such intimidation, whether intended or not, from the presence of this military company or cavalry company, that the colored men went away from the polls, and could not be induced to come and vote?—A. No, sir; most certainly not. I was at the upper polling-place, and when they came in I made it my personal business to see that the thing was fairly done.

There was an effort made by some of the colored men to get them away. I went to one colored man who was attempting to disturb them, and told him to just go away. I said to him, "Are you a voter here?" He said, "No; I am not." I asked him where he was from, and he said he was from Louisiana. I told him, "You are creating a disturbance here; you are trying to get these men to go away from the poll, and they have got a right to vote, and you have got no right here if you are not a citizen of the place;" and I just opened a way for him myself, and put him outside.

I told the colored men to "go on and vote. You shall vote as you please. This man is attempting to make a disturbance here for nothing."

Q. As a matter of fact, after that affair at the church was over, do

you say that the election resumed its ordinary appearance, and they went on voting as before?—A. Yes, sir; when I came back they were voting, and the men were just returning and dispersing around through the town. When I went to the polling-places they were voting on, and continued to vote until late in the evening—two hours, at least, after that thing happened, I presume.

Q. Was there any disposition on the part of the people or on the part of these military companies to disturb the election in any manner, or prevent persons from exercising their free choice in voting?—A. So far as I know, there was not. I don't imagine there could have been, because there was no such advice given.

I suppose I am as much responsible for the tone of feeling in that community as any other one man, for I used my best efforts to influence it, and I never gave any such advice; on the contrary, I advised peace and order always; and I never heard of any man giving any such advice.

A FAIR AND PEACEABLE ELECTION.

Q. As the result of this canvass and experience, are you prepared to say that the election in the county was a fair and peaceable one in all respects; that everybody that wished to vote had an opportunity to vote freely?—A. Yes, sir; I can say that every one that wished to vote did vote.

By the CHAIRMAN:

Q. Do you know the person from your county who is foreman of the grand jury at the United States court in Oxford?—A. Yes, sir; I know him well.

Q. Have you written him a letter?—A. Yes, sir; I have.*

Q. Relative to his duties there?—A. Yes, sir; in part.

Q. What was the nature of that letter?—A. It was just a friendly letter. He is a man who has studied law with me and to whom I am very much attached, and it was written in the kindest spirit, a most friendly letter, and in it I stated the reports that had reached our town in regard to the supposed action of the grand jury, and the feeling of the people in regard to it, and gave him my advice.

Q. I wish to ask you whether you did not say in that letter that if indictments were found against persons in the county you would hold him personally responsible?—A. No, sir.

Q. Or words to that effect?—A. No, sir; nor words to that effect. I can tell you the language I used, which could not be tortured into anything of that sort. I used no such language as that; on the contrary, I am his friend, and it was in his interest and in the interest of peace and quiet in the county that I wrote him. He knows I am his friend, for I have been his friend always. I said to him—he is a lawyer and might have plead the privilege, and need not have gone on the grand jury if he had not been disposed to do so—I said to him, "You occupy the position of foreman of the grand jury by your own choice; you haven't been compelled to occupy it, and you may rest assured that if indictments are found against the people of this county you will be blamed for it, because you occupy this place voluntarily; and you can imagine how pleasant it will be to reside in the midst of, say, (for I didn't know how many indictments would be found,) one hundred or two hundred persons who will charge you with having been the author of their political persecution, as they deem it, and whether you advise it or not you will be considered responsible."

* See page 150 of "Documentary Evidence" for report of this grand jury and a certified copy of Mr. Tucker's letter to the foreman, Mr. Frazee.

Q. Did you say to him in that letter that you should hold him personally responsible if any indictments were found against persons in that county?—A. No, sir; most emphatically I did not.

Q. Or words to that effect?—A. No, sir; nor words to that effect. If anybody has stated that before this committee, he certainly did not see the letter, because it didn't state any such thing as that, and he stated what he knew to be false if he says it of his own personal knowledge.

ABOUT MR. FRAZEE.

Q. Have you heard Mr. Frazee speak in the campaign?—A. Yes, sir; I have heard him speak.

Q. Did he in your presence use any language that you considered incendiary?—A. By no manner of means. He had given up the election when I heard him, though I didn't hear his first speeches.

Q. Where did you hear him?—A. At Buena Vista, the night before the election. I replied to him at Houston, and at Atlanta, and at Buena Vista.

Q. He did not use any incendiary language in those speeches?—A. No, sir.

Q. Did you advise him at Buena Vista that he was in peril and that you could not protect him?—A. No, sir; I didn't.

Q. Did you give him any advice in regard to his personal safety?—A. No, sir; he thought he was in peril, and he told me if I hadn't gone with him he would not have gone. I told him I knew nothing about it, but if there was any collision there that he would be likely to suffer; but I said, "There is no danger of a collision unless your people bring it on." He had agreed, upon what I said, to go. I said this and nothing else, because he thought he was in danger, and I didn't believe that he was in danger myself.

We went over in a buggy together, and if I hadn't gone with him he would not have gone, he said. After we had reached that point he asked me if he was in danger, and I told him that he was in no more danger from our people than I was; that the only danger there was that there were some very bad negroes there who had threatened the people, and I told him that if those bad negroes had the influence to bring on a difficulty he would be in danger and not otherwise; and he said that he knew that he could control his people, and if it depended upon their commencing the difficulty that there was no danger, and he would stay.

By Mr. BAYARD:

Q. Mr. Cavett stated that he had seen the letter but had not noticed it very much; but it was to the substance that you had told the foreman of the grand jury that if indictments were found against your people under the election laws you would hold him personally responsible.—A. I have just got this to say about that; that it is an infamous falsehood, if he stated it positively.

By Mr. MCMILLAN:

Q. When was this letter written?—A. It was written some two or three weeks ago.

Q. Who was the gentleman to whom it was addressed?—A. W. D. Frazee.

Q. Was he the foreman of the grand jury at that time?—A. I understood he was.

Q. You understood he was?—A. Yes, sir.

Q. And you wrote that letter to him understanding that he was foreman of the grand jury of the United States court?—A. Yes, sir; I did.

Q. Are you a member of the bar?—A. Yes, sir.

Q. And you wrote that letter?—A. Yes, sir.

W. H. HOUSTON—CHICKASAW COUNTY.

ABERDEEN, MISS., *June* 27, 1876.

W. H. HOUSTON sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. At Okolona, Miss.

Q. What is your profession?—A. A lawyer, sir.

Q. How long have you been living there?—A. Since 1872; I went there from Saint Louis, Mo.

Q. Were you there last fall?—A. Yes, sir.

Q. Did you take any part in the political canvass?—A. I did not, excepting two speeches that I made.

Q. With which party did you act?—A. With the democratic party.

Q. Were you there on the day of the election?—A. Yes, sir.

Q. At the polls?—A. At the polls all day; I was there as special policeman, detailed on duty.

Q. Under whose appointment?—A. Under the appointment of the mayor there; that is to say, more correctly, there was a party of us appointed; I did not know anything about it at the time, but I was informed by others that I had been appointed, and that I was on duty and would be expected to serve; and I never inquired further, but acted, and no one questioned my authority. I am not prepared to swear that I was absolutely appointed, because I never saw the appointment.

THE POLITICAL CANVASS—THE REPUBLICAN SPEECHES.

Q. During the canvass had you any knowledge of violence or threats of violence tending to interfere with the exercise of the right of suffrage in your county?—A. Well, sir, I was appointed on a committee that was to divide time during the congressional canvas between Mr. Money, our candidate, and Messrs. Little and Powers.

Q. There were two republicans running against one democrat?—A. Two republicans against one democrat; and after the division of time had been effected, I was approached first, I think, by Mr. McKee, probably as a friend of Governor Powers, and asked if it would be safe for them to make such speeches as they desired to make. I told him most assuredly that it would be; that the people were not disposed to make difficulty at that time; that they were more indifferent about political matters than I had ever seen them, and they certainly would not make a personal matter of anything that they might say politically, and that they could just make any speeches they pleased. He said there were some drunken men who might make a disturbance. I said that it could not be so, because we had a marshal who would take care of them.

I was then approached by a friend of Mr. Hill's, I don't remember his name, and the same question was asked and the same reply was given.

Mr. McKee then made a speech in which I understood him to say, and that was the understanding, as they informed me, of a number of others—in winding up his speech he appealed to the colored men to vote the republican ticket; that they must vote the republican ticket; that the republican party had freed them—making the usual speech—and "Now let me lay it to you in charge to vote at this next election, and carry the republican ticket triumphantly through if you have to wade through blood, death, and hell to do it." We all thought it was

strong language at the time; and Mr. Hodges from this place and Mr. Mills made similar speeches, probably not so violent, but advising them to what we thought desperate action.

Q. Do you state these speeches as an illustration of the intimidation of the whites?—A. I want to state this as a precedent. Soon after that, Chancellor Frazee of the republican party made a speech there, in which he stated that he had fought four years for the confederacy and deemed it to be right, and was now ready to fight again to carry this election. I did not hear that speech, though.

Q. Mr. Frazee is on what side?—A. The republican side. Just after that I understood there that the colored people of the county had organized a company and elected Isaiah Bell their captain and some other man their lieutenant. We still, though, hoped there was nothing in it; but a few days afterward there was a party of them, probably a dozen or two dozen, seen drilling. That was the first evidence we had that there was such an organization. We then began to fear that they, being ignorant and excitable, were going to pursue the policy that had been indicated to them. Soon after that the country negroes informed us from all parts of the county that the negroes had proposed to beat the democratic party, and they had threatened them with death if they voted the democratic ticket, and they called on us for protection and asked us if we would protect them, and we replied that we would. Some men there on Jolley's place came in and we furnished them with arms to protect themselves.

NO VIOLENCE OR THREATS DURING CANVASS OR AT ELECTION BY DEMOCRATS.

Q. Was there any violence that you know of, or threats of violence, tending to prevent the free exercise of the right of voting in the canvass or on the day of the election?—A. I know of none, sir, except such as I have mentioned by the republican party.

THE BAPTIST CHURCH DISTURBANCE.

Q. On the day of the election there seems to have been a disturbance created, according to the account of several witnesses, and that a military company or a company of men under arms, an infantry company, and also some cavalry-men, charged down the principal street of the town and over in the direction of the Baptist colored church, and although no one seems to have been hurt—a man is stated to have had a shot put through his hat—yet the effect was a stampede of colored voters, and that they were driven from the polls and were afraid to come back; state whether the facts are true and what they mean.—A. There was a body of men under arms; I was among them myself. I thought at the time that I was acting as a peace officer.

THE NEGROES DANGEROUS—THE WHITE PEOPLE NERVOUS.

Q. Just state the cause of that?—A. We had heard there, and we at the time thought that it was reliable, that there was some danger of bloodshed on the day of the election; that the negroes were excited and that they were dangerous. To prevent difficulty, the white people all through the county were requested not to mass, and that the officers would see that the negroes did not mass. In the morning, tolerably early we found the negroes in the Baptist church, right in the heart of a little negro settlement there, and that they were gathering there all the time. The white people began to be very uneasy and nervous about it.

DEAD AND DEPARTED NEGROES VOTE BY PROXY.

We commenced to hear that they were voting fraudulently; that they

had the registration certificates of dead and departed negroes—those who had gone to the Mississippi bottom and other places; and that as fast as a negro voted he went up there, changed his clothes, got another registration paper and came down and voted again. The people got somewhat incensed about that, and requested that an officer would go up there and see about it. They had an officer there of their own on horseback, whom they sent down and we communicated with him, and told him that they must not mass there, but come on down town and vote; that there was no use in massing there if they wanted to vote. He went back and said that that would be done.

THE COLORED CROWD DISPERSED, AND HOW.

Toward 11 or 12 o'clock it had not been done, and the rumor then spread and gained general credence that they were not only there massing, but that they were arming. We then saw the officer again and told him what we had heard, and that the people were very much excited about it, and that they must disperse at that church; that they could go down town and vote if they pleased; that everybody was uneasy.

His reply was not entirely satisfactory. We then told him that we would give him ten minutes in which to take them away from the church, and at the end of ten minutes it was reported to us that they were determined not to leave; and those of us who were on the police hallooed to the others to fall in and go up there. At that time my partner, Colonel McIntosh, also came to the front; he was one of the leading men there, and seeing that we were bound to go, put himself at the head of us and started——

Q. How many of you were there?—A. I don't know; I suppose between twenty-five and fifty.

Q. What sort of arms had you?—A. Military guns, sir; good guns;—and marched up probably two hundred and fifty yards toward the Methodist church. Just there one of our men's guns went off accidentally, so it was claimed. There were two negroes in front of us, and the gun shot behind me; it was in my rear, and the negroes were in front of me. When the gun went off they broke and commenced running in different ways. They were evidently frightened. We hallooed to them to come back and vote if they had not voted; that there was no danger, but they seemed to pay no attention.

Q. Were either one of them hurt?—A. No, sir; neither one of them. I think it highly improbable that the ball went within fifty yards of either one of them. We then went on farther and passed through a little run before we got within sight of the church, and we there met Senator Shirley, a colored man and a republican, and some others going from the direction of the church toward the direction of the polls.

We stopped and asked him what was going on up at the church, and he said, "Nothing, I believe;" and Colonel McIntosh asked him if he had voted, and he said he had not. He (Colonel McIntosh) said, "You better go on down, then, and vote." Just then we saw the colored people leaving the church and striking across the fields. Colonel McIntosh asked him if these people that were leaving the church had voted, and he said they had. We then passed him, and went up twenty-five yards farther, perhaps, and stopped and sent a man on ahead. We were then within easy reach of the church, perhaps two hundred and fifty yards.

The man who went ahead to the church found no one there, and came back and so reported. We then returned to the neighborhood of the polls, and each man dispersed, carried his gun home, or disposed of it in some way; at any rate, there was no longer any guns seen. I went

back to my place as special policeman, and my position was down at the lower poll, the one nearer the depot. Soon after I took my position there, Houston Parrish came up very excitedly, riding a mule, and hallooing to the negroes to leave; that they could not have a fair election; that the white men were going to kill them all, and that they better go home. There was at that time, I suppose, as many as thirty or forty—I don't know—crowding around the polls; the sidewalk was full of colored voters. As soon as he said that I jumped out in the street and called his name. I said to him, "You can't say that here; if you repeat it I will have you put in jail; you can't interfere in that way with this election." I said to the men, "There is no danger in the world; if you came to vote, stay and vote; if you want to go home, go home; no man has threatened you, and if any man does threaten, and you will report him, it is our duty to arrest him, and it shall be done."

There were as many as ten of them that did not leave the polls, but staid and voted; and they voted there until the election closed, some of them voting until the last of the election.

I think there were no efforts made to force any man to vote on that day the democratic ticket, except from persuasion. There was, of course, a great deal of that done. But we were uneasy and guarded all the time; nearly every one was expecting that before night there would be bloodshed.

NO FORCE USED TOWARD COLORED MEN AT THE POLLS.

Q. Did you see anything like force exhibited toward colored men in the way of taking their tickets from them, and compelling them to accept democratic tickets?—A. No, sir; nothing of that sort.

Q. Was anything of that kind done within view of the polls?—A. No, sir.

Q. It has been stated something like this, by Isaiah Bell: he spoke of a Mr. Snoddy that he saw constantly taking tickets from republican negroes, and putting democratic tickets in their place.—A. There are two voting-precincts in town.

Q. This was the one where Isaiah Bell was.—A. I cannot tell which one that was.

Q. It was the one nearest to the church, I think, from what he said.—A. I was a good portion of the time at the other one; my station was at the lower poll.

Q. You can only say you did not see this thing?—A. I did not see that. Mr. Snoddy was not a politician, and had taken no part up to that time in the canvass, and has taken none since.

Q. Did you know Professor Poor, a Baptist clergyman?—A. There is no Baptist clergyman there of that name. There is a Professor Poor there, a farmer; I don't know as he is a Baptist.

Q. Is he a clergyman?—A. No, sir.

Q. Was Mr. Carlisle in that party of men who marched up the road?—A. Yes, sir; he was there.

Q. Do you remember that as you passed up to Mr. Carlisle's house he came out and said something, and then the company moved on?—A. No, sir; I remember that he came out; he was at the house. That is a mistake; Mr. Carlisle came out and the company shouted, and I think Mr. Carlisle said nothing. He came out and joined us, and if he said anything it was some commonplace remark, such as "I will be there as soon as I can get there," or some such remark, which made no impression upon me, and I was very near him at the time. The company did shout, though, when he joined us.

Q. Mr. Carlisle did join the company?—A. Yes, sir.

Q. Went up with you?—A. Yes, sir.

Q. And returned with you?—A. Yes, sir.

Q. Did you put up your arms and go back to the polls?—A. Most of them did not go back to the polls. Those who were on duty as officers went back.

Q. As a matter of fact, was there anything at the polls after that at all to prevent the negroes from voting if they wanted to?—A. No, sir.

There is one thing I might state in explanation of our nervousness which preceded this election. We had a little town election a month or two months preceding, and one of our colored brethren, Wes. Owen, wanted to vote the democratic ticket, and I was near the polls that day; and as he started from the crowd of negroes who had been talking to him, one of them shouted to him, "If you vote that democratic ticket I will knock your head off." He had then started toward the polls—he was just across from the polls, when he hesitated and looked around to the crowd of negroes that were just back of this one that hallooed to him, and who had commenced advancing up to the one that said he would knock his head off.

At that moment I stepped out and said, "If you attempt that here there will be somebody else's head that will be hurt." At that he turned on me and replied, "Who is going to do it, sir?" and I stepped out then and said, "You cannot hit him with a brick; if you do I will do it;" and I stooped to pick up a brick as I said it. Mr. Buchanan, one of our merchants, who was near us, stepped up to me and stooped down and touched me and said, "This man has gone; say nothing more." I looked up and he had gone back into the crowd of negroes.

That was seen by several citizens, and it made us feel that there was danger that they would, or that it was probable that they might, use force to carry the election. That was in the election preceding this one, and had nothing to do with it, only it was so closely preceding it that we remembered it and commented on it.

NO NEGROES FOUND AT THE BAPTIST CHURRCH.

By Mr. CAMERON:

Q. How many negroes did you find at the Baptist church when you went up there?—A. I found none, sir. From the number that left, though there may have been a good many of them that left before we saw them, but when we sent this runner ahead there was no one in the church at all, and we could see them leaving. I don't know how many.

Q. You say that you understood that they massed there?—A. Yes, sir.

Q. What do you mean by that?—A. That they were congregating there, and that the number was increasing all the time.

Q. Did you see any of them with arms in their hands?—A. No, sir.

NO ARMED NEGROES SEEN BY WITNESS.

Q. Did you see any of the negroes that day with arms in their hands?—A. I did not; no, sir.

Q. How many negroes do you remember seeing in town that day, at a rough estimate?—A. They were coming and going all the time; and the same negroes were passing from the church down and then from there back to the church and back again, so that it would be almost impossible to tell.

Q. I do not expect you can be very accurate, but you can tell whether you saw 50 or 500, perhaps?—A. I would not say that there were as many as 500, but I don't know.

Q. None of them had arms in their hands?—A. Not that I saw.

Q. You say a company of armed men, from 25 to 50, more or less, started up toward the Baptist church; that as they were proceeding there two colored men were in advance of them, and a gun in your ranks was fired, whether by accident or design you don't know, and these two negroes ran, and when you got near the Baptist church you saw that the negroes were dispersing and going across the fields?—A. Yes, sir.

NOTHING DONE WITH INTENT TO INTIMIDATE.

Q. Yet, notwithstanding that, you swear that nothing occurred on that day to intimidate or prevent them from voting?—A. Well, sir, I did not swear that; I did not say that; I will just state what I did say: that there was nothing done to intimidate them; whether there was intimidation or not, there was nothing done with that intention nor with that view, nor for the purpose of intimidating them.

Q. Then you do not say that nothing was done which might not possibly have intimidated them; all that you mean to say is that nothing was done with the intention of intimidating them?—A. So far as I know my understanding was that nothing was done that did intimidate any voters. I never heard it claimed to the contrary by any one who professes to know, or that these colored men who were there were prevented from voting.

ABOUT THE ARMED WHITE COMPANIES.

Q. You have stated that there was an infantry company, such as it was—I do not say that it was a military organization—and that there was a cavalry company, you have stated that also?—A. No, sir; I did not.

Q. Did you see any cavalry company there that day? Other witnesses have stated that there was a cavalry company there.—A. I will state this: that after we had gone back and dispersed the rumor came——

Q. Did you see a cavalry company there that day?—A. Yes, sir; but I think it was after the polls had closed. I would like to explain why it was there, because I happen to know. After we had dispersed some little time, a runner came in seemingly very much excited, and said that the negroes were massing in an old field near there, and that there were large numbers of them. We telegraphed at once to a distant portion of the county to a cavalry company that we were uneasy and to come immediately to Okolona, and they came; and before they got there we found there was no use for them; that it was a false rumor. As soon as they got there we told them so, and I think they went to the livery stable and put up their horses at once, and went to the hotel and got supper, and then left town. I don't think they were there more than half or three-fourths of an hour.

Q. How far was that old field in which it was reported that the negroes were then massing from the place where you were?—A. About half a mile to a mile.

Q. How far was this cavalry company from the town?—A. I don't know exactly where they were. The point to which we telegraphed was about nine miles, I think.

Q. How many did that cavalry company consist of, as near as you can recollect?—A. Probably as many as sixty.

Q. Did you see them when they came into town?—A. Yes, sir.

Q. Were they armed?—A. Yes, sir.

Q. Did you send any person to the old field where you heard the negroes were massing?—A. I did not; we found it was a false rumor in the course of three-quarters of an hour; we did not send any messenger out.

Q. Did you make any effort to ascertain whether it was true or false before you telegraphed to the cavalry company?—A. No, sir; I think we telegraphed first, and then made an effort to find out. The first thing was to send the telegram.

Q. You allowed the company to come there, and after coming there you informed them the rumor was false?—A. Well, sir, we couldn't well prevent it without sending some one on horseback to meet them, and we thought we might as well let them come on in.

Q. You telegraphed for the company before you had made any attempt to ascertain whether the report was true or false?—A. Yes, sir; and got a telegram back that they had started before we learned that the rumor was false.

Q. Did the cavalry company come quietly into town, or did they come hallooing and swinging their guns?—A. There was no swinging of guns, sir; and, I think, no hallooing. They came in on a round trot; came very hurriedly.

Q. You swear that there was no hallooing?—A. If you will let me get through—I think that they came into town in a round trot, and I think, without hallooing; that is my recollection; but as soon as they came up within sight of us, we all shouted, and I think it likely they did; I don't know, but I think that they replied to us; but they had not got into town when we saw them, when they got within reach of us; they had to pass through a considerable portion of the town to get to us.

Q. How did you know that that cavalry company was located at or near the place you telegraphed to?—A. We had been anticipating trouble, and we knew pretty much where every man was in the county of Chickasaw at that time.

Q. You knew it because you anticipated trouble, and knew where that cavalry company were stationed?—A. We did not, as far as I know, know exactly where they were, but we knew the nearest telegraph point at which we could reach them.

MARCH TO THE BAPTIST CHURCH.

By Mr. McMILLAN:

Q. I understand you to say that your partner, Mr. McIntosh, saw that your company was determined to go up to the Baptist church?—A. Yes, sir.

Q. And seeing their determination, he put himself at the head of the company?—A. Yes, sir; I think he probably called to them to fall in.

Q. Then he did not see that they were determined to go until he told them to fall in?—A. Yes, sir. If he had not put himself at the head some one else would. He was not among the first to call "fall in!" but when he said that, most of them were there ready to fall in.

Q. You started up to the Baptist church about three o'clock?—A. I don't remember the hour; it may have been about that hour.

Q. How far was that church from the polls?—A. I don't know, but I suppose it was about 500 yards.

Q. You marched to the Baptist church?—A. No, sir; we went within probably 150 or 200 or 250 yards of it.

Q. Did you go more than half-way from the polls to the church?—A. Probably a little more; not very much more, though, I would imagine.

Q. How long were you going up there, attending to matters there, and returning to the polls?—A. It seemed to me a very short time, but I took no account of it.

Q. Well, was it an hour before the whole thing was over?—A. It did

not seem more than a half-hour, though I suppose it was more than that; it may have been an hour; I don't know.

Q. Then you returned?—A. Then we halted there, and sent a man up who went and returned, and reported that they were not there; then we returned.

Q. Then you returned to the polls?—A. Then we returned to the polls; that is, not all of us. We marched back into the town and dispersed, many of us going down to the polls; I went down to the polls, and quite a number of others; not all, though.

Q. Did you put your guns away?—A. Yes, sir.

Q. Did you put them up before you came to the polls?—A. Some brought guns belonging to persons living on the other side of the polls; they were carried home.

Q. What did you do with the other guns?—A. They were carried home before they got there. That was the only thing I saw of guns near the polls, in going up and returning in the street. There were some guns that came from the far side of the polls.

Q. Were these guns owned by the men themselves?—A. Yes, sir.

Q. They were private property, purchased by them?—A. Well, sir, that is a matter with which I am not familiar.

Q. You do not know where any of the guns came from?—A. No, sir.

Q. Then about what time did you get back and get your guns all out of the way?—A. Well, sir, if it was an hour, it was 4 o'clock; and if we were only gone half an hour, it was about half past 3.

Q. What time did the polls close that night?—A. I don't remember; 6 o'clock, I believe. It closed at the usual hour by State regulation.

Q. When did you hear the rumor that these negroes were massing out in the field—after you came back?—A. About an hour afterward, I suppose, or an hour and a half; some little time.

Q. That would be about 5 o'clock; half past 4 or 5 o'clock?—A. Yes, sir.

Q. Then after hearing the rumor, you telegraphed to this cavalry company, nine miles distant, and they came there and remained there until the polls had closed?—A. My recollection is that they came there after the polls were closed.

Q. You said that they only staid an hour or two?—A. They went and took supper and went home.

Q. Did not they come over before the polls were closed?—A. My recollection is that they did not.

Q. When did they come there then?—A. I think that it must have been going on between 6 and 7 o'clock; I don't know; there was certainly very little, if any, voting going on. If the polls were open, most of the votes had been cast at that time, because when the voting was going on I was down at my station at the polls; and at this time I was not there.

E. H. STILES—CLAIBORNE COUNTY.

JACKSON, MISS., *June* 21, 1876.

EDWARD H. STILES sworn and examined.

PERSONAL STATEMENT.

By Mr. MCMULLAN:

Question. Where do you reside?—Answer. In Claiborne County, Mississippi.

Q. Name the town you live in.—A. I live in Port Gibson.

Q. What is your profession?—A. I am a lawyer by profession.

Q. How long have you resided there?—A. I was born and raised about thirteen miles from Port Gibson, in Claiborne County, Mississippi.

Q. Were you residing there in 1875, during the canvass of that year?—A. Yes, sir; and all my life. I have lived in Claiborne all my life, with the exception of about four years when I was at school in New York.

Q. Are you familiar with the occurrences which transpired during the campaign of 1875?—A. Yes, sir; and with those that took place before then.

Q. Will you state fully your knowledge with regard to what occurred during that campaign?—A. I think probably, Judge, that it would expedite matters if I would start a little back of that point. It would obviate the asking of a good many questions.

AN INTERMARRIAGE AT PORT GIBSON.

In 1874, some time, I won't be positive as to the day, a saddle-colored member of the legislature, named Haskins Smith, married a young white girl, named Ellen Smith, residing in Port Gibson. She ran off with him and was married, I think, in Vicksburg. There was, of course, a good deal of talk, particularly among the lower class of people, about this thing of his marrying that girl. It created a good deal of excitement among them, but I think the more sensible people of the community concurred in the idea, that if she wanted to marry him it was her business; but among the riff-raff of the population there was a great deal of talk about injuring him in some way.

The impression then got out among the colored people that Haskins was to be hurt in some way; and it is said that when he came back here, which he did in probably a month or such a matter, he came on the streets with some five or six, may be eight or ten, colored men; that I don't know anything of, though, personally. Whether they were armed or not I don't know, and I don't suppose anybody else knows.

THE WHITE LINE ORGANIZED—ARMS SENT FOR.

The whites seemed to think that was a kind of dare; but whether a dare or not they considered that as a pretext for organizing the White Line and for arming. They organized a White Line, and they sent on by a merchant in our town named Marcus Bernheimer to New York and ordered a number of breech-loading rifles—breech-loading muskets. I think they were, the old Army Springfield muskets improved, made over, with bayonets, and a lot of fixed ammunition.

"EVERY MAN TO BE WHITE MAN OR NIGGER."

They organized their White Line and they proclaimed then and there that they proposed from this time out that every man should either be a white man or a "nigger;" they proposed to draw the line right there, and that a man should be one or the other.

THEIR FIRST VICTORY.

Our municipal or corporation election came off in December of that year, and about that time—I think it was in December—by their threats of business ostracism and abusing everybody and calling them "niggers," "albinos," &c., that dindn't belong to the White-Line arrangement, they succeeded in bringing into their organization nearly every white man, and then they put up the White-Line ticket in that corporation election. That was the first White-Line ticket I had ever heard of in the State.

I don't know whether it was the first or not, but it was the first I can recollect of.

Although the whites greatly outnumbered the blacks in Port Gibson proper, in the corporation, we had always managed to carry the corporation election by a number of whites going with us. But before that election they were so intimidated—they openly said that they would do anything, it didn't hardly matter what, to carry it. They had so arranged it as to have parties there to report these people as they voted, and everybody was considered a radical, or as they phrased it a "nigger," that didn't vote the open democratic ticket.

Such being the case, I saw there was no chance of the republicans carrying that corporation election unless it was by shrewd management. So I went off in the night and had some tickets printed at a distance. We nominated a good ticket, and they did not know that there was a ticket in the field until 12 o'clock on that day.

I proposed to let the democrats vote their ticket and get through at 12 o'clock, and then at 12 we proposed that our side should come to the polls and crowd the polls, and thus give the white people that wanted to vote with us an opportunity of voting without its being seen how they voted.

THE REPUBLICAN CANDIDATE FOR MAYOR RESIGNS.

But some one where we had the tickets printed found out about it, and telegraphed to the democratic executive committee, and I think it was spread all over town on the day of the election. I then saw our candidate for mayor; he was very anxious to run, and very anxious to be mayor, and all that sort of thing; whether he was intimidated or not I cannot of course say, but I know that he was very anxious to be mayor of that town, and I know he was pretty certain of the election if he held out. Yet I know he incontinently resigned at once; came out in a card resigning and disclaiming any connection with the republican party, and so on.

I advised the colored people then—inasmuch as we had no showing in the world of carrying the ticket, because I know those white people that wished to vote with us would not dare to come up and vote, as there was no opportunity of their voting without everybody knowing that they voted the republican ticket—not to go to the polls at all, and they did not do so.

That day, too, was the day they had some trouble in Vicksburg; and after they got through voting they got a telegram from Vicksburg that they wanted help from them, and they turned out with their White-Line company with muskets, bayonets, &c. They got down to the Gulf—I do not know whether they got to the Gulf, but at any rate they got to the cars; but pretty soon they came back saying it was all over. That was the last of that.

THE TAX-PAYERS' LEAGUE—BONDSMEN RETIRE.

Then they organized what they called the Tax-Payers' League, along with the White Line, and they began then to persecute republican officials. I call it persecution; it was nothing else. For instance, they succeeded in running one of the bondsmen that was on the bond of the sheriff—in getting him to throw up his position entirely and retire from the bond. Then they came before the board of supervisors and insisted upon his making a new bond in $20,000, and appointed a time for him to have his bond made up. They then went around the country and denounced anybody that went on that bond.

I went out and made his bond for him, and made a very good bond;

but I had to go out in various parts of the county to do so. After I got back to Port Gibson with the bond some of the most responsible men in the county came there and said that they would have to go off that bond. The fact of the business is they had been waited upon by a White-Line committee; but anyhow we succeeded eventually in making his bond, and he went on discharging the duties of his office.

THE BOARD OF SUPERVISORS PROSECUTED.

The next move of the Tax-Payers' League then was to employ an attorney to prosecute the board of supervisors, if they could find anything against them. They appointed a committee for the purpose of employing this attorney. The attorney employed was J. D. Vertner, of Port Gibson. He went poking around among the books and found, among other things—I don't know what, but one charge that he found was that at a certain special meeting the board of supervisors had voted themselves pay, which they were not authorized by law to do at special meetings. There was no question about that, as the law said that when they held a special meeting they were not allowed to vote themselves compensation, and they had voted themselves $5 a day for compensation—that is, the regular compensation for a regular meeting.

He made an affidavit against one of the board; a jury was summoned, three white and three black; the three white men were prominent merchants there in Port Gibson, and they acquitted this man on the same charge on which they tried the next one. The next one happened to be the president of the board. They were trying him before the White-Line mayor. He appointed the secretary of the Tax-Payers' League to summon the jury, and the Tax-Payers' League went and summoned two of the committee that had employed this attorney, and the balance of the jury were all members of the Tax-Payers' League.

This president was tried before them and, as a matter of course, convicted. He took an appeal to the circuit court, but eventually came forward and paid the fine.

The rest took an appeal, I believe, at the last term of the court, and they were acquitted.

CAMPAIGN ORGANIZED—"FAIRLY IF THEY COULD, FORCABLY IF THEY MUST."

That was one thing that, of course, excited some little feeling. It came time to organize a campaign, and they held a democratic meeting in the town of Port Gibson. I would not be positive now about what time prior to this, but at that time, and at all other times when I have heard democratic speakers make speeches in the county, they have openly and plainly admitted that it was their purpose to carry the election, fairly if they could, but at any rate that they intended to carry it—forcibly if they must. They proposed to carry it at all hazards; they didn't propose to be ruled by niggers, scalawags, and carpet-baggers any longer; that thing had played out. I remember very distinctly, at that particular meeting that I am alluding to, where they organized, I think, about the first meeting of the campaign—it was the first grand meeting to ratify their nominations—I think it was at that meeeting, Mr. Vertner told an anecdote about a fellow grubbing in the hedge, or somewhere, for a hedge-hog, and some one asked him what he was doing there, and he said his family was out of meat, and he must have meat at all hazards; and he applied that to them: he said that they had been out of office a long while, and that they intended to get into office; they must have "meat," and they were bound to carry that election at all hazards.

SPIRIT OF THE SPEECHES.

That was the spirit of their speeches throughout. They denounced everybody that did not affiliate with them, it did not matter who it was, as being albinos or niggers, and all that sort of thing; and they got up a great excitement in the county—a tremendous excitement, and I think more than they anticipated getting up.

At that meeting particularly I remember Thomas Y. Berry, who is now chancellor; he was at that time, or at least I think he was—he seemed to be the leader of the democratic party there, although not nominally the leader, made a speech there, and he took the ground, which was vociferously cheered, that there was no one in the county of Claiborne that did not go with the White-Liners that was not a nigger; and he took the further ground that niggers were a sort of species of ape, and went on to show it from the Scriptures.

There was a good deal of excitement before that. These Tax-Payers' League held their meetings, I think, probably, every Monday night, and then they had some other things during the week—this White-Line arrangement.

Both organizations were secret; in neither organization would they permit a republican to go at all, because I know I had the impudence to present myself to get into the Tax-Payers' League. I told them that I was as big a tax-payer as a good many of them, and felt as much interest as any one in honest government, and proposed to put down thieves and robbers as much as any of them; and I wanted to know if there was anything against these county officers, and if there was, I would pitch in and go for removing them as soon as anybody.

But they said I would not be permitted to become a member of the Tax Payers' League unless I would subscribe to the objects of the organization. I told them that I wanted to know those objects first; but they would not let me know them, and consequently I was marked out.

The democratic candidates had been nominated in July some time, though I am not positive about that now. It may not have been until August, or possibly September. At any rate when the republicans got their candidates nominated, and before they got them nominated they were going around the country and holding their little conventions and their meetings, &c.

ARMED DEMOCRATS AT REPUBLICAN MEETINGS.

The democrats were in the habit of going armed to their meetings They would go to the number of some eight or ten—twenty may be, and sometimes more than that. There would generally be some four or five from Port Gibson, and all the white men that they could muster around. These invariably went armed; they invariably had their arms conspicuous; they invariably or almost invariably, at least apparently, seemed to go with the object of stirring up a row, and having some cause for disturbance. The consequence was that it took us pretty near all the time to keep from having riots and preventing violence.

I do not know of my own knowledge, because I was not there, but at one meeting it was said that they went there with a wagon-load of arms; just went thirty or forty of them with a wagon-load of arms, and it was all that the republican sheriff could do to prevent a row there on that day. They went to Bethel at one time where I attended a meeting. I went there to make a speech—a little precinct in our county—

By Mr. CAMERON:

Q. A republican meeting?—A. A republican meeting, yes, sir; and a gentleman well known in the county, Benjamin Humphries, came up

to me—there was a crowd of democrats there who seemed to have a good deal of whisky about them, and he seemed to have a good deal in him, I think about as much as he could carry—he said, "Mr. Stiles, come here now, sir, we propose to have a division of time here." Said I, "Mr. Humphries, I suppose you are familliar with a declaration that I have made repeatedly here in this county, that I am willing to meet any democrat in the county, or from anywhere else, in the discussion of republican principles. Although I do not consider myself able to meet the giants of the democratic party, yet, at the same time, I trust in the justice of my cause, and I am willing to meet them in that spirit."

I said, "I want to know, though, who your men are that you propose shall meet us in discussion;" and he says, "That is none of your business, sir, we will furnish the men to meet you." I said, "All right, we will divide time with you." He said, "It is well you do, sir; if you don't do it you would be killed or murdered, sir." I said, "I want it to be understood that if anybody calls me a liar I won't resent it here at all, but will simply make a personal matter of it after the thing is over. I don't pretend to control this meeting; I was simply invited to come here to make a speech. As far as I am concerned, I am willing to divide time with any speaker you have got; but if there was anything that would prevent me from dividing time at all it would be that threat of yours."

I then went around among the republicans and finally succeeded in getting them to divide time, although they were, many of them, very much opposed to it, for the reason that the democrats whenever they got a chance to divide time were so terribly abusive and personal in the character of their discussions, because, really, there was no difference in the platforms of the republicans and democrats in this State; there was a little distinction, but a distinction without a difference; and there was no fault that they could find with the republican party as a party except to denounce its officers and members as men; and the republicans were restive under that, and they did not want to yield to any discussion at all, but they finally agreed to it, and I announced it and told them that one of our speakers would lead off, and he did so, and then one of theirs, or two of theirs; and they filled up the time in some way, so that before I got an opportunity to speak they all left the ground—the whole of them.

They showed every disposition there to have a row that they could, but I think the republicans were in such numbers that they thought it was not very prudent; still, they went around when the crowd collected and attempted to get up side-issues with two or three parties there.

I thought they had no business there, but they went in accordance with a resolution, recommended by the *Clarion* and adopted by their White-Line party, to attend republican meetings, and denounce the falsehoods, &c., that were supposed to be uttered by republicans; and where a democrat would go to a meeting and find that a republican said something that he thought was not true, or that he did not particularly like, he would call him a damned liar, and all that sort of thing; and consequently that would be likely to kick up a row.

DEMOCRATS PRETENDED TO GET WONDERFULLY SCARED.

Things went along that way for a while, and finally the democrats pretended to get wonderfully scared. They circulated all kinds of rumors all over the county, to the effect that the republicans were rising and were arming all over the county; that they were going to march on Port Gibson and burn the town, and do this, that, and the other.

THEY ARM, AND HAVE GUARDS OUT EVERY NIGHT.

They had guards out every night. They went out practicing shooting every day with their breech-loading guns, and they sent off and got a hundred of these Smith & Wesson pistols of the Russian pattern, that you can, by touching a spring, break them in the center and throw out the cartridge—a very effective weapon. A good many of them wore these pistols habitually around their persons, so that you could see them; and they had also leather belts around them, to carry their fixed ammunition in. They kept out sentinels at night, and our little town looked like a garrison in war-times, almost for months.

TRICKS THAT ARE VAIN.

I didn't dare to leave the town any time for fear of some riot that I might prevent by being there. For instance, our band started to go out to Hazlehurst, in Copiah County, to a political meeting out there. They had been sent for by the sheriff of that county, who wanted them to go there—a darkey band. They went out, and a person—I think I know who the man was, but at the same time, as I have no legal proof, I would not like to mention his name—circulated a report to the effect that the band was going to Copiah County, followed by six or seven hundred darkies; that they had been sent for by Sheriff Matthews to just clean out the town of Hazlehurst; and the consequence was that the white men of Brandywine turned out that night and picketed all the roads, but nothing took place. The band had passed fortunately before they put out their pickets, and consequently nothing was done.

This same man, in my judgment—now I am pretty confident that I do not do him any injustice by something that transpired afterward; in fact I feel satisfied that he was the one, because I know his tricky nature and disposition—he sent a rumor, that met the band, to the effect that when they got back to Magruder's store they were going to be attacked by Port Gibson White-Liners—would certainly be attacked. That was on Sunday. He sent this rumor all the way up into Copiah County, where the band was, so that it would meet them up there and have the effect to get a lot of darkies along with the band. There was quite a crowd of country darkies attracted by the music.

By Mr. McDONALD:

Q. I would like to have that man's name.—A. I would not like to give his name, as I have no legal proof; no proof at all except my own suspicion, and as I am dealing with a man's reputation I would not like to have it said that I have stated that in reference to him. I don't think it would be hardly right to do it, that is all, and I had rather not do that. But some one did it; the rumor must have originated with some one. There was a lot of darkies, a crowd of course collected by the music, following the band just like you have seen little boys following after a band of music in the streets in town.

These men when they got to Linden, where the line was between Claiborne and Copiah, were told by the band to go back, but they had heard this rumor, and they said they were going to go along and protect the band. Finally, though, when they got down some little distance into Claiborne they did prevail on those men to go back, and they went back.

But they had not gone far on the road toward Magruder's store before they were met by quite a crowd of darkies, who said that they had heard this rumor, and they concluded that it was best to go along with the band. I presume those darkies were armed; I think they were; I know there were a good many of them armed, and I suppose most of them were. Those who were not armed with shot-guns were armed with revolvers. Some of the revolvers I saw and some I didn't see.

ALARM IN PORT GIBSON.

Then a rumor was sent down to the effect that the band was coming to town with a large force of darkies—some thousand darkies, with the evident intention of burning the town of Port Gibson. That caused the White-Liners immediately to rush to arms and get their horses and sally out to meet these armed men.

I happened then to be in town, but I did not know what the trouble was. They told me that they had received word that two thousand men were coming into Port Gibson with the intention of burning the town. I told them, "Gentlemen, I propose to lead the crowd that goes out to meet that band; I want to be the first one killed in that row myself." I ordered my horse and jumped on him, and I did lead the crowd that went out.

We got to Magruder's store, and there we found the band and a crowd with it, too. The band halted, and I insisted then that one of the democratic leaders should go with me on horseback and we would meet this band and see what we could learn. We went up, and when we got within fifty or a hundred yards, or such matter, I saw them deploy their skirmishers. We got up pretty close, and I heard some one halloo, "There is Mr. Stiles; it is all right if he is there."

ARMED NEGROES MET.

I rode up to the leader of the band and asked him what they meant. Said I, "What do these armed men mean?" He said that they had been notified in Copiah that they would be attacked at Magruder's store, and "these men concluded that they would come along and see us by Magruder's. We did not believe the report was true, and tried to get them to go back, but they would not go back;" and, said he, "I never thought it until I got here and saw the glitter of those muskets at a distance, and I then thought it was true, and I was preparing for a fight."

I found that he had prepared for a fight. He had his skirmishers out, and there was a little chaparral, a little woods, off to the left, and I found that they had stationed a lot of darkies behind that chaparral. The consequence was that the White-Liners would have charged right on the skirmishers that were sent out, and these fellows would have closed in around them, and I think they would have pretty nearly cleaned them out.

I told the White-Liners then that they ought to congratulate themselves that I was along with them, because I kept a good many of them from getting hurt.

That was on Sunday. The next day, Monday, there came into town Captain McLean, with about fifty or one hundred men, I believe, from the Rocky Springs precinct, well armed with shot-guns, &c., and they said that they had been notified that the sheriff of the county wanted them.

THEY DISPERSE AT ONCE.

By the CHAIRMAN:

Q. You have not told us what became of this crowd of negroes.—A. They dispersed at once, sir, when I told them to disperse. The leaders and, in fact, they all, said that they had simply come along to protect their band; that they thought it was going to be attacked at McGruder's store. There was no trouble at all; they just went along and I told them, that is the colored people, that they would not be hurt, to go along; and they all dispersed at once in apparent good humor.

Captain McLean told us that he had received information that the sheriff wanted him there to protect the jail; that the darkies were going to release the prisoners in jail. I went out to meet him, too, and came into town with him. We gave him his dinner there, and he went off home with the crowd, well satisfied, well pleased.

CONTINUED ALARMS OF NEW INSURRECTIONS—"A KIND OF RELIC."

This thing kept up; to tell you the truth there was continued alarms, and the White-Liners turned out in the middle of the night and in the day-time; and rumors were continually in circulation to the effect that the darkies were coming into town to destroy the whole town, and they would turn out and have a terrible excitement, Sunday or any time.

I fully understand now, although I didn't at the time quite understand, for I thought probably some people were scared—my experience before the war was to the effect that the southern people here in Mississippi would get scared sometimes by rumors of negro insurrections, and they would pitch in and have a terrible excitement over it, when the darkies had no more idea of rising than anything in the world; and I thought it likely that was a kind of relic of that; I thought probably they were a little excited about it, and that they did really think, some of them, that the darkies were going to kick up a row and come into town, &c.; but now I feel certain that it was a planned thing; that it was got up with the express view and object of intimidating the colored people—the colored voters; to give them to understand, "Now we are always ready and we are armed, and we are going to put you down with a high hand." Their speeches and everything indicated that.

RUMOR OF JIM PAGE AT THE HEAD OF A THOUSAND DARKIES IN ARMS.

They turned out frequently and repeatedly, and finally this turning-out business was broken up in a singular fashion. There came a rumor one night about midnight—the town was quiet—and suddenly I heard a terrible noise of horses and men charging around. I was so much accustomed to this excitement that any little noise that way disturbed me, and I sprang up at once and went out and tried to find out what was the matter. I found the men arming in hot haste. They were going out to meet Jim Page, an old colored man there in the county, and a very sensible, clever darkey, too, the former sheriff of the county. He was reported to be coming into town with a thousand darkies, with the avowed intention of burning the town, and they were going to go out and meet him and have a fight.

I told them, says I, "Gentlemen, I have rode around a good deal with you, and I don't care particularly to go with you to-night, but if you can't get some leading republicans to go I will go along with you; but I think you ought to send some leading republican along with one of your leading democrats to see whether this is a fact or not. The democrat would be perfectly safe, because they are not going to fire into a republican. If no one else will go, I will mount my horse and go."

I had been out the day before making speeches, and I didn't care to go if I could help it.

I asked them to give me a few moments to consult my republican friends, and I saw Tom Richardson, a colored republican there, and he volunteered to go. Captain Kearney, who was one of the captains of the White-Line men, if not the captain of it—I never could exactly ascertain whether he was the real leader—he volunteered to go with Richardson, and they started out. They had picketed all the roads in the mean time.

JIM PAGE IS FOUND, AND HE "WANTS TO FIGHT BAD."

They went on down to Jim Page's house and halted, and Page came out of his gallery in his shirt, and he demanded what they wanted. Tom Richardson hallooed out, "Jim, do you want to fight?" He said, "I do want to fight; I want to fight bad, and if some of you will come up here I will fight you—waking up a man and bringing him out here in his shirt-tail to attend to your damned nonsense!"

It seemed so ridiculous that Captain Kearney and they all laughed and went off. After that they never turned out any more, and I think the whole thing was broken up by that ridiculous thing.

I then went off to Natchez for a week, thinking that everything was all right. I had to go there to attend to my official duties as district attorney. I really believed that the excitement was genuine at that time, and I went off; the thing seemed to have died away, and everything appeared to be quiet. I got down to Natchez and staid there a week or so.

JOHN J. SMITH AND WIFE RUN OFF.

I don't know what took place while I was gone. I cannot say anything at all about what caused the renewal of the excitement. I don't know, but I received a notification from the sheriff of the democratic executive committee in Natchez, who was a personal friend of mine, that John J. Smith had been run away from Claiborne—from Port Gibson—he and his wife. I asked him if he had it from a reliable source, and he said, I think, that he had it by telegraph. I immediately jumped on board the boat and came up to Port Gibson.

When I got to Grand Gulf I found it was true, that John J. Smith had been waited upon by a committee and notified to leave the town of Port Gibson. That was what was said. Of course I did not see that myself, and could not swear positively, but I had it from men on both sides. In fact, they said how he and his wife had left in great haste; that Mr. Smith was so badly alarmed, as I was told by a democrat, that he would not stay in Grand Gulf at all to wait for a boat, but went over on the Louisiana side to wait for a boat. So I think he must have thought that things were pretty urgent about that time, or he would not have done that; and he, at any rate, thought that violence would have been offered to him or he would not have left in that way.

I got on board the cars. The day I got there was the day appointed for a republican mass meeting, a grand mass meeting just before the election. That was on Saturday, and the election was to take place on Tuesday. I came up on the cars, and I appealed to the conductor, whom I knew very well, and requested him to stop his train just opposite where the barbecue was to be held, so I might get off and go across there, and be there as soon as possible, because I heard all sorts of rumors.

"YOU WON'T HAVE A FAIR ELECTION."

I met my friend, Judge Speed, of Vicksburgh, at the Gulf, and we had a long talk, and among other things he told me that our party was going to be beaten, &c. I told him that there was no danger of that if our men were allowed to vote—if there was to be a fair election. He said, "You won't have a fair election." He said there was going to be trouble there to-day; that he apprehended that to-day. That was Saturday. He said there would probably be a row between the whites and blacks; that the whites were very determined, and they did not propose to allow any speaking. I told him I did not place much confidence in it, but still I thought if they had that sort of spirit I had better be getting up there, because there might be a row, and I might prevent it.

A COLORED PROCESSION ATTACKED.

I got off the train, and when I got there the republican procession had reached the ground—a procession of about two thousand colored voters. On their way through town they had been attacked by the White-Liners; in various places as they went through town the white men had struck them over the head with sticks and cursed them, and applied all sorts of opprobrious epithets to them, and did everything in the world to provoke a row there in town—a difficulty there in the town.

I had told the colored people in all my speeches through the county and at all their clubs that it was better for them to keep the peace at all hazards; that they would have no earthly chance in the event of a conflict between the republicans and the democrats of that county, none in the world, and it was a matter of vital moment to them to keep the peace; to submit to anything rather than have a row. That was my advice to them. I told them, "This thing will not be tolerated long, surely, because the United States Government is not going to submit to this thing long. You have your constitutional rights; you have a right to vote, and surely the Government will see that you are permitted to exercise this right; and it is better for you to submit for a little time, because the Government will certainly come to your aid."

Well, under that state of the case they just marched like heroes right through the town. They paid no attention to the democrats when they would strike them with sticks, and all that sort of thing; they paid no attention whatever, but they just went through town and came out to the grounds.

THE DEMOCRATS TURN OUT ON HORSE AND FOOT, ARMED.

The democrats were so infuriated at the determined aspect of the colored people, and the way in which they had treated them, that they mustered, I suppose, to the number of about five hundred. But, in an excitement like that, a man might exaggerate a little, and when a man was a little scared a thing might look a little big. They came certainly in larger numbers than I could muster for a thing of that kind. I counted two hundred and fifty or three hundred horsemen, and maybe one hundred and fifty or two hundred footmen. I never made any accurate count, and never attempted to estimate them, except just simply by what I could see around.

They were all armed with breech-loading guns, and with these United States Springfield muskets, made over to load at the breech, bayonet, &c. They were armed with these Smith & Wesson pistols, after the Russian pattern, and they were some of them armed with these Spencer rifles.

They came there, and I certainly could not imagine that people in this age and in this generation would act in the way that they did. I met them, and after they came there every white republican got up and left at once. I never saw a single one of them there after I got there, because they had seen what took place in town. They thought that these men had come right there and were going to have a fight right off, at once. I did not think so.

I thought at first it was "bluff;" that I would be able to stop them. When they got, I suppose, within about fifty yards, maybe, of the meeting, I went to them, thinking that I could stop them, and could prevent them from going; and I appealed to them, and I told them that I could not think that they would propose to go there and disturb our meeting. I asked them what they meant by coming there with arms, and all that sort of thing.

THEY AVOW THEIR PURPOSE.

I was answered, that they came there for the purpose of showing the nigger that he could not rule the white men any longer, and they told me right square out that me and my sort could not rule them any longer. They said that they had stood this thing long enough. There was so many talking at once I could hardly repeat what they did say, but that was the sentiment expressed, and numbers of them spoke it.

THE SHERIFF HAD TURNED OVER HIS OFFICE TO THREE DEMOCRATS.

I found, what I did not know before, when I got there that day, that the sheriff of the county had turned over his office entirely to three prominent democrats, and had declared himself unable to keep the peace, and that he could not be responsible and he would resign his office; and they had persuaded him not to resign, but to turn it over to them, and they would keep the peace.

By Mr. McMILLAN:

Q. Were they among this crowd?—A. Yes, sir; they were there. Maj. James S. Mason was one of them; he was one of the men to whom the sheriff had turned over the office—a very clever, nice gentleman, but a strong democrat, I tell you.

By Mr. McDONALD:

Q. Who were the other parties?—A. John Burnett and J. C. Kennard. I would not be positive whether it was John Burnett or N. S. Walker, but it was one of those. They were very prominent citizens. They were to run the sheriff's office and keep the peace. The sheriff was unable to keep the peace alone, and these men were understood to help him and back him in doing so. I appealed to them—I appealed more particularly to Major Mason, because I had always had the very highest esteem and regard for him, and I believe that he had for me. I went to him and appealed to him for God's sake to help keep the peace, and to allow us the privilege which all American citizens had of making speeches. He said, "Well, I did not come here with the view of keeping the peace; the time for keeping peace has passed; I cannot keep the peace, and there is no use in talking about it; I cannot do anything, even if I had ever so much disposition to do so." That was just about the way he answered me. He said, "The best thing you can do now is to just disperse this meeting; it is the only way to prevent a row."

DEMOCRATS FOUND IN LINE OF BATTLE.

I looked around and found that they had already got up there and got down off their horses and formed a line of battle there, and I found that there were lots of white people, and they were all armed with weapons of various kinds. I looked around and saw one man darting out of the line and going in among the colored people and talking to them, and cursing and abusing them, and then running back to the line as though he had been assaulted in some way, trying to get his friends to rally and start a shooting in some way, and get up a difficulty. I saw Capt. N. S. Walker walking very rapidly, and I hailed him. I knew that he was a man of influence, and I attempted to stop him, but he said, "I have not got time now; I am going right down." I passed through a crowd going down to interview Sprott, our candidate for sheriff, and there was danger of a difficulty. He said he was going down there in hopes to get down in time to prevent it.

This Sprott is as clever a gentleman as you ever saw in your life. He is now our superintendent of education, confirmed by the democratic senate here. That shows what kind of a man he is. I went down with

Mr. Walker then, started down with him, rather, and I saw a man named Bernheimer, a brother of this man Bernheimer that I have spoken of before as one of the merchants there in town; I saw him rushing in among the crowd half scared to death. He was blowing, and cursing, and ripping.

Q. What was his first name?—A. I am not positive. It was one of the Bernheimers, a young fellow; I don't know but it was Louis. A crowd began to gather around him at once. He and some darkies were talking, and I saw it was necessary for me to interfere right away, and I rushed in between them, and I looked at Mr. Bernheimer, and, said he, "Mr. Stiles, you don't blame us?" I said, "I do blame you for making a damned fool of yourself, as you are doing now;" and it quieted him down.

DETERMINED TO HAVE A ROW.

I then turned around and saw a man named James Wiley; he was charging and going it—seemed to be appealing to the people there as though the darkies were immediately going to charge on them. The darkies, it seems, concluded that the best plan would be to get a little farther back, and they had fallen back. Wiley rushed up in a terribly excited manner, and says, "What does that mean? Stop them men! stop them, if you can!" I said, "There is no occasion for excitement here at all."

I saw they were determined to have a row. Major Mason had assured me that such would be the case unless the darkies dispersed; and I concluded that that would be the best plan. There would be no possibility of making a speech, as a matter of course, in such a state of excitement; and I thought there could be no good object attained by attempting to hold a meeting; that they would never listen to me five minutes.

THE COLORED PEOPLE BREAK UP AND GO HOME.

So I told the colored people that the best plan would be to break up and go home; and they did so. They didn't seem disposed to want to give the colored people time to get away from there, but would run around and say, "What are you stopping here for?" or "What are you doing here?" and all that sort of thing.

MANY DEMOCRATS PITCHED IN AND ATE MORE THAN THE REPUBLICANS.

After having driven the colored people from their dinner, I noticed a good many democrats did not scorn to partake of that dinner. I would not have done it under those circumstances, it appeared to me, but the democrats pitched in, and I think they ate more than the republicans had done, for they had had no opportunity of eating.

THE TOWN PATROLLED ALL NIGHT.

They went back to town. That was Saturday night. That night they patrolled the town all night. They had pickets out on the various roads. I wanted to get a dispatch to Governor Ames and let him know the state of things. He at one time apprehended a great deal of trouble there in Claiborne, from the tone of the leading democrats. At the time there was talk of the governor organizing a militia if he could not get United States troops here. I told him that I did not want the militia organized in that county, for I wanted to avoid having a row between the whites and blacks; but if it could not be avoided, and if he could not get United States troops at all to protect us, I supposed we would have to organize a militia. The governor told me, "I think you can

get United States troops." Then I told him, "No; I don't want those United States troops until I see it is absolutely essential, and then I will want them at once." So I sat down and wrote to the governor a detailed statement in reference to the matter, and sent it across to him by a courier. I had to send the courier to Dr. Sprott's, that he might give it to another courier out there, so that there would be no one missing from town; for if there had been, these democrats would have suspected something probably. I sent a courier out to Dr. Sprott's. The courier could not go out there in the road, and he had to take across the field to avoid these pickets. When he got to the doctor's, the doctor immediately mounted a man and sent him across to Governor Ames with a dispatch, and I think the governor got it some time on Sunday. He rode all night to get here. I received no answer to that dispatch at all; no troops were sent.

ARMED DEMOCRATS RIDE THROUGH THE COUNTY.

That day, Sunday, I am credibly informed, though I don't know the fact myself, because, of course, I did not see it—I could not leave town, and did not dare to leave town, for fear some row should occur in town, so that it would be necessary for me to be there and use my influence to put it down—I was credibly informed that leading republicans were hunted for all around, and that there were bands of democrats riding all over the county, armed men, riding all over the county, that day, on Sunday, in the various precincts. Among others, I am told that they went to the candidate of the republican party, whose name is W. H. Goens, I think—I am not positive, but that is the way, I think, he spells his name—he was on the republican ticket for the position of assessor. I was told that Dr. W. D. Bean, Dr. W. P. Hughes, and other democrats, went armed and hunted him up, found him, and presented pistols at him, and made him sign a document, addressed to them, in which he stated about to this effect:—(As I did not anticipate coming before this committee, I did not bring any documents at all along with me. When I left home I had no idea of going to Jackson, or anywhere else; I was simply going into Warren County, and, while there, I heard that a friend of mine wanted to see me in Vicksburg, and when I got there, I heard that I had been summoned by the committee.)

A REPUBLICAN'S FORCED RESIGNATION.

The document, though, was to this effect:

GENTLEMEN: The undersigned respectfully resigns his position on the republican ticket as candidate for assessor. He proposes to devote himself to the educational interests of the country in future, and requests the assistance of all good white men, &c.

W. H. GOENS.

Dr. W. P. HUGHES and Dr. W. D. BEAN.

He signed that document, and that was struck off on handbills immediately and posted all over the county. I think this thing was done some time on Monday morning; at any rate, before election-day this letter of resignation was posted all over the county.

I do not believe that it was a voluntary, genuine resignation, as he was a sensible man; and if he wanted to resign his position voluntarily as a candidate he would not have addressed his resignation to W. P. Hughes and W. D. Bean, members of the democratic party, but would have addressed it to myself as chairman of the republican executive committee of that county, or to the republicans and citizens of the county directly; he would have certainly done that.

HUNTING REPUBLICANS ALL THAT DAY.

On Monday the same things were stated—that they were hunting

influential republicans. W. D. Sprott, I know, did not sleep in his house. I know from him, and I know from others. My messenger, for instance, could not find him at his house, and it was some time before he could find him, as he was hid away in the cotton-house. He apprehended that they were going to kill him; and there were all sorts of threats of that nature rife. I heard that they were hunting republicans all that day. I don't know whether it was so or not; I did not see any of them.

EVERYTHING JUBILANT ON ELECTION MORNING.

On Tuesday morning, the day of the election, I got to the polls, I suppose, about 9 o'clock. They had been voting, I reckon, about an hour when I got there. When I got there everything was jubilant; the democrats were all in good humor; they were all so, and all in very good humor; and to my surprise they were not in a hurry about voting. They did not seem to want to go to the polls at all; they seemed particularly anxious that the colored people should vote, and they were rushing them in there by scores, and they were voting lively. The colored people seemed to be doing all the voting. I was surprised at that, and I stood there and I watched it a little while. After some time I walked up and went past the barrier and went up to where the democratic challengers were sitting. One of them had a little book, I suppose probably the size of that, [indicating,] in which he had written every voter in the precinct, and he was recording the voters as they came down—whether it was a democrat or republican vote.

THE DEMOCRATS GOT MAD.

By Mr. McMillan:

Q. Who was he?—A. J. D. Vertner, brigadier-general now, I believe, by appointment of Governor Stone. James A. Gage was the other challenger. The republicans had no challenger there, I found. I just took the position myself, being chairman of the county executive committee. I then walked right up and began to look on myself. The aspect of the crowd at once changed; instead of being jubilant, and agreeable, and jovial, and all that sort of thing, as they had been, the democrats seemed to get angry all at once. Now, I will leave you gentlemen to draw your own conclusions, just as I did. I could give you the conclusion, of course, that I came to in reference to it, but I don't know that it would be any evidence, and I don't know that it would be worth while to mention what it was. But they got mad and immediately began to push and crowd. Seeing how things were going, seeing that the darkies were crowding and the white men were crowding and everything was getting up into a perfect jam, I went up to Captain Walker, who was commanding the outside police force there, and made a proposition that the voters be formed in two lines; that the whites be formed in one line and the darkies in another, and to let one white man vote and then a darky, and so on. But the *Clarion* had particularly said to them that this thing of forming in a line was not going to be tolerated any longer, and that they would not tolerate it there.

By Mr. McDonald:

Q. That is the paper published here—Mr. Barksdale's paper?—A. Yes, sir. They said that very thing; they used the expression of the Clarion; they did not tolerate it there and they would not tolerate it, and I could not get them to do it. I said to them that it looked to me like there was going to be a row, but that this was their own affair; that I had told them how they could manage it without a row. Pretty soon one of the republicans said, "There is going to be a row, if the

republicans don't fall back; let the republicans fall back and let the democrats vote." I said, "Now, captain, you can have no excuse; let the colored people fall back entirely and let the democrats do their voting." He seemed to think there could be no objection to that, and he started off to execute it; but before he went he said, "Why don't Ed. Jones do it?"—Ed. Jones was a prominent republican there. "Well," said I, "Captain, he cannot do it; there must be some one with authority." Said he, "Well, I will go and attend to it," and he went to attend to it.

In a minute or two I looked off and saw a crowd of about, I suppose, three or four hundred colored men coming in on horseback; they were marching, and had a flag in front of them—a large white flag. Ed. Briscoe, who was the candidate against me for the position of district attorney—I have got to tell the whole story, I suppose, though I do not like to do it—he immediately holloed out, "Put down that flag there; what are you damned fools carrying that flag for; don't you know you are not going to be hurt?" I suppose he went over to see about it; I don't know about that, but in a few minutes afterward he came back, and it struck me that maybe Walker was having some difficulty keeping these colored men back about that time; and I knew that I had influence with them, that anything I told them to do they would do it promptly, and I approached to the barrier with a view of telling them to fall back. When I got there my attention was called to the excitement there then. This man—W. T. Magruder, I think his name is—was standing at the opening where the voters passed through; he came into this barrier and was standing there, and a man named Ben. Humphries, jr., was standing on the other side of it, and there was nobody going through now except democrats. There were a few democratic darkies there, and they had some sort of badge on their coats—a blue ribbon or something—and they were going through, though the balance of the darkies were not going through. I noticed particularly the attitude of Mr. Magruder. The darkies were all on the left and the whites crowded on the right going into this barrier.

A CANDIDATE BECOMES PROFANE.

I noticed the attitude of Mr. Magruder and noticed his words. He was throwing his arms backward violently and saying, "Get off of my back—there is fire on my back; damn it, get off of my back!" and he struck back and hit them in the face. I was satisfied that there was going to be a row, and I rushed out among them to make them fall back. Just as I was about to do it I noticed this man Briscoe, who was running against me for district attorney, he was gesticulating with both hands and talking, and the amount of it was this—"These damned niggers shall not vote for these God-damned scoundrels; we have stood this thing long enough and ain't going to stand it any longer."

A PISTOL IS FIRED—THE BULLETS BEGIN TO WHISTLE.

Just about that time a pistol was fired. I could not see who fired the pistol, but I believe I know who fired it, just as anybody would know by common rumor, but still I would not like to say who it was unless I knew positively, or had some evidence of it; I have no evidence of it. In an instant I believe there were probably fifty men just firing in all directions. At first I holloed to the colored people not to run—"Don't run! don't run!" I thought it was a bluff; that is what I thought at first; but just about the time I said that the bullets began to whistle around me and I thought the best plan for me was to be getting into the house, that it was safer in the house than outside. I saw only one

republican there besides myself, and not a single white republican but myself. I thought—well, I might be a target; while they might not think of shooting at me now I might get shot if they got to shooting in earnest. So I stepped back and got up on an old chair that we had been sitting on, in front of this window, and stepped over through into the court-house. I had not been there a second, however, not five seconds at any rate—it did not look to me it was any time at all hardly—before the shooting was over.

THE DARKIES BROKE.

The darkies broke and ran just as soon as the shooting commenced. As soon as the shooting was over I jumped back out of the window and made for the barrier. When I got there—it was only a step or two, fifteen or twenty feet—I found that all the democrats were scattered all around everywhere with their pistols out.

THE DEMOCRATS FORM IN LINE.

A horn blew, and just at that second they all broke, or a good many of them did; some few staid around, but the majority broke in an instant and ran across the street to a point commanding the place where the voting was, commanding the road there, and formed a line on the corner across the street, with their guns.

A CANNON LOADED WITH BUCKSHOT COMMANDS THE ROAD.

Now, I am told, and I think it can be shown without any doubt—I am satisfied that it could be proved by the democrats themselves—I have been told by numbers of democrats that there was a cannon there, and that that cannon was pointed so as to command that road, and was loaded with buck-shot, and that canisters were made of tin to hold them; that they were made by a German named Schaff, who was a tinner; that he fixed up these shots, and the cannon was loaded with them, and that it commanded that position.

DR. MAGRUDER ADVISES THE CROWD TO KILL THE WITNESS.

Just about that time, while all this excitement was going on, I heard a man halloo out—stop, there is another thing before that, though: Just about that time, while all this excitement was there, and all the people were wild with excitement, there were a number of these democrats around—not a great many of them, but quite a number of them. Dr. T. B. Magruder—I think that is his name—made a speech, and to hear his speech a good many of the "White-Liners" broke their line there and came up with their guns and pistols, and one thing and another, and he addressed the crowd to get them to kill me. He told them, "There stands the man who is responsible for all this; there is the scoundrel who is responsible for all this bloodshed. I knew his father, and I knew his mother, and I knew his grandfather, and I have known his family for years and years; I respected and loved them; they were good people, but he has disgraced his people; he has disgraced his kindred; he has gone back on his race, and he ought to be killed; kill him now; do not let such a man as this live on the face of the earth."

He went on in that kind of strain. Just about that time a fellow named Dr. Riser—that is, I was informed afterward that that was his name, though I did not know who it was at the time—of course I was pretty badly excited by Magruder's speech, which was a very eloquent speech at the time, I thought, and I was afraid it was going to affect me, and I was watching him more than anybody else. About this time this man Riser called me a "God-damned son-of-a-bitch!"

and said "Let's go for him anyhow;" and he came charging towards me. Capt. N. S. Walker, a good friend of mine, I saw him run across in front of me, and in the direction whence I heard the sound of that man holloing, and, I am told, he pulled out a pistol and pointed at the head of this Riser, and said, "Now, you scoundrel, if you say another word I will blow out your brains;" and I saw Riser running off. It all transpired in a great deal less time than I can tell it; almost instantaneous these things were. Col. J. S. Mason and some one else—I am not positive who, but anyhow Mr. Mason—ran up to old Dr. Magruder and grabbed him and persuaded him to keep still, and took him off and talked to him, and said how desperate and foolish it was, and so on. I did not believe that I was in any danger at the time, except from such men as Magruder and Riser, because I heard a good many democrats saying right there, "Not much you don't; we will fight for him," and speaking in that way, meaning me; and I believe that if they had attempted to assault me there would have been a row amongst themselves right there.

MAGRUDER ADVISED THE DARKIES TO COME ARMED.

In a moment or two the darkies came back and wanted to vote. Well, I told them, "There is no use in your attempting to vote here now, for if you do there will be difficulty; the democrats are determined to carry this election anyhow, and there is no use talking about it."

The darkies had come to the election unarmed, entirely unarmed, by my direction. W. T. Magruder, the very man that attempted to kick up this row at the polls, and the very man that had holloed and thrashed his hands back and struck the darkies in their faces, was the man that had sent runners around and attempted to get the darkies into Port Gibson armed, and advised them to do it, or tried his best to get them to do it; and it absolutely required all my exertions on Monday, just simply because of this action of Magruder's, to get the darkies to come into Port Gibson without their arms. I told them it was perfect folly for them to think of it. Well, they came in, on account of my exertions, utterly unarmed. They had been searched, because they had a darkey and white policeman, and they searched them to see that they did not have arms, and they knew that they were unarmed at the time that they fired those shots.

NUMBER OF NEGROES KILLED AND WOUNDED.

Well, Mr. Mason and others succeeded in preventing Magruder from making his speech, and the thing seemed to quiet down. I told the darkies that there was no use in attempting to vote, and a good many of the democrats felt enraged at me for telling them so. I said, "You can give no assurance that these darkies can stay here and vote without being shot into; you have already fired into them and murdered one man, and have wounded six others right here; what guarantee have I got that you won't kill the balance of them if they come here and attempt to vote? No republicans can vote here. There is no possibility of carrying this election, because if you see we are about to beat, you will pitch in and shoot us down as you have before. I would not vote myself if I had not already voted."

COLORED PEOPLE ADVISED TO LEAVE.

Col. J. L. Kennard, who was at the time chairman of the democratic executive committee of the county, and, I believe, a man sincerely desirous of peace, and desirous that every man should have a chance to vote—I honestly believe that he was sincere in it, and with one or two exceptions I believe he was the only man that really was so desirous; I

think that Colonel Mason was, but I do not think that he made the exertion that Kennard did—he is a good man and a true man, and when he says anything you can rely upon what he says. I went to him and said, "I have advised these colored people to go away." He said, "I have done this same thing myself. I fear that if they attempt to come back and vote there will be a repetition of this shooting; and I advised them that way. I am responsible for that. I said it to them, and I am willing to stand by it. They cannot vote, for if they come back here there will be another row, and I do not want to see the colored men killed for an election." I said, "I just feel that way;" and I told the darkies to go away, and that there was no more voting to be done there that day.

EXCITEMENT ALL OVER THE COUNTY.

The excitement was all over the county, though, on that day. There were various rumors and reports of people being shot at. That night, after the counting of the votes in the Port Gibson precinct—I think the Port Gibson precinct was the only one counted that night—the republican registrar, W. B. Andrews, the only one who was a republican, for the democrats bought up the other republican, a fellow named Leon L'Ange, and the other was John McC. Martin, who was a democrat and a very good man. L'Ange had no business on the board at all, but they appointed him, and he was for sale to the highest bidder. He was on the board, appointed as a republican, and sold out to the democrats.

A CAJEON.

By Mr. BAYARD:

Q. What was his color?—A. He was a mixture. It is hard to tell you what his color was. I believe he claimed to be white, but he did not look like it. He is what they call a *cajeon* (?) in Louisiana. They are a kind of mixture of Mexican, Negro, Indian, and Frenchman, all mixed up, and don't know hardly what. I invited the republican registrar to come around and stay with me. I had a room back of my office in Port Gibson, where I staid when I was in town, and I invited him to come around and stay with me. He said, "Not much! I am too old a man to be caught that way. I don't stay with you, by a long chalk."

Finally, however, he was prevailed upon to go with me, and went around. Somehow he had a presentiment; he says, "I cannot stay here; there is no use talking about it. There are men on the street here to-night that are going to do some damage, I know, in some way; they are determined to do it." I said, "I don't think there is any danger." Says he, "We must not stay here." I told him I did not see any danger; that they were feeling pretty good after having carried the election. He said he knew there was danger from the way that they had acted.

I finally concluded to go with him, more to humor him than anything else, because I did not apprehend any danger at all. But it seems that there was danger, for John McC. Martin, the democratic registrar, came to me in the morning and told me that there had been a crowd gotten up, and that they were going to wait on me and force me to leave; that the crowd had done some desperate things, and among others, they intended to make me leave, and to go to my office and hunt me, and he persuaded them not to do it. I have heard from others that they did go to my office; that they went there, and if they had found us in there there is no telling what they would have done.

HOW THE GOVERNMENT DETECTIVE ACTED.

There is a fellow there—a legerdemain man, he pretended to be,

but what he was I cannot tell you, and I don't remember his name; I don't know as I ever knew it—he came there and had a few little tricks with balls, and one thing and another, that he performed. He got a hall there and had performances in that. He went down to the democratic White-Line meeting and told them that he was a White-Liner from Vicksburg, and belonged to the White-Line crowd in Vicksburg; and that being so, they admitted him to go into their White-Line League, and he had got into all their secrets, &c. He acted in the most singular way I ever saw a man act.

The court-house is situated on a square, and directly opposite to the court-house on that square is a row of little buildings, which have been burned since, where there were the democratic headquarters. They occupied a portion of them; and there was the *Standard* office at that time, which was their headquarters, commanding a full view of where the election was to be held. Next to that was a tin-shop, and into that this legerdemain fellow would go, and for what reason nobody ever knew; and he acted like a crazy man; and I don't know what he was, unless he was what people called him, a Government detective; that was what was told to me afterward. He went in there into that tin-shop, and instead of doing as anybody else would have done that wanted to look at the election—sit in the door and look on—he shut the door tight and put up a kind of screen in the window, just so that he could look over and see what was going on, who was there, and see the whole thing.

THE UNITED STATES AGENT.

When Governor Ames got my letter with reference to the conduct of affairs down there and with reference to the breaking-up of our republican barbecue by armed men, he showed it to General Warner. Warner, it seems, had an idea that it would have a good effect to telegraph to me—supposing, of course, that I would know how to use it—that there were United States agents there in Port Gibson watching matters. So he telegraphed to me at Port Gibson, "United States agents are in your town watching matters." Supposing that he had sent it for that express purpose, I showed it confidentially to one or two democrats, knowing, of course, that they would spread it all over, everywhere, in strict confidence. So far from having the effect intended, it infuriated them, and they set to work to find out who those agents were, and their suspicions fell on this legerdemain man.

That night they got a crowd and they went for him; they met him on the street and they were going to hang him, and some of the more moderate among them succeeded in prevailing upon them to just drive him out of town and let him go, if he would go right away; and he said he would; and he went down the road atilting, I can tell you. He did not wait for the cars or anything; he just went tilting like anything.

J. D. Vertner, in relating the circumstance to me, expressed only one regret in reference to it, and that was that he had not his pocket-knife along with him, so that he could cut the scoundrel's ears off. That was the same crowd that wanted to go for me; and I understood they wanted to go for Sprott that night, too; but Mr. Martin told me that he prevented this crowd from going after him. Mr. Martin is a near neighbor of mine, a sort of family connection.

By Mr. McMillan:

Q. Is he a democrat?—A. Yes, sir; a bitter democrat. Still, I have always had every confidence in him; we have always been warm friends, and reside within three squares of each other, and he has been a very good friend to me.

NO REPUBLICAN VOTES CAST AT PEYTONA—AND WHY.

The next day Major Mason told them that if they took any steps to run me away from there he would go and carry his whole family with him; and some of the others did the same thing after they saw Mason take that stand—after the major had come out and took the stand he did.

Q. Was that after the election?—A. Yes, sir; that was the next morning; the election was held on Tuesday, and on Wednesday night we had not got a full return of the county election; but still they were satisfied that they had carried the county, as they well might be, because in the district of Peytona, which generally gives a republican majority of 700, there was not one single republican vote cast—not one. Now, I know nothing about the matter myself, because I was not there; but that is where this man Goens, that they went and forced to resign, lives. I, of course, did not see the election there, and do not know about it; but I heard that the whole Peytona democracy turned out armed, and they went there and told the darkies that they must vote the democratic ticket; that they could not vote unless they voted that ticket; and the darkies just thought, if they could not vote their own ticket, they would not vote at all, and they left. That was the state of things, I am informed, in Peytona, and I believe it was so.

ONE FAIR ELECTION.

Rocky Springs was the only precinct in the county, in my humble judgment, where there was a fair election. Captain McLean, a man of influence up there, and a fair-minded, honorable gentleman, had sufficient influence over the roughs there to keep them quiet, and I think they had a pretty fair election in that precinct.

BALLOT-BOX STUFFING AT GRAND GULF.

In Grand Gulf they attempted to play the same game that they had in Port Gibson, but the darkies there would not pay any attention to my advice to go to the polls unarmed, and they came armed, and the consequence was that they mustered a larger force than the democrats, and they concluded to allow them to vote, and said that they would fix the boxes afterward. They voted all right, and they attempted to stuff the boxes; but they did it in such a bungling way that, instead of putting in the democratic tickets of the precinct of Grand Gulf, which anybody that had any sense about them would have done, they put in democratic tickets from Port Gibson entirely, for the city and beat offices, and all that sort of thing; and of course that was too plain an attempt, and the democratic inspector just came out and stated under oath that these tickets had been put in there after the voting was done; that the box had been stolen in the night and packed. Notwithstanding that, those votes were counted.

BALLOT-BOX STOLEN AND BALLOTS BURNED AT BETHEL.

At Bethel the democrats, just as they were commencing to count out the votes—and probably they might have counted a few of them; I don't know—came in, burst open the door suddenly, and rushed in and put out the lights, knocked the clerk over, and jerked up the ballot-box, and away they went with it; and they ran out to some place in the road—I don't know how far it was, but some little distance from the polls—and there they burned the ballots, leaving the ballot-boxes there.

ARMED BAND AT BRANDYWINE.

In Brandywine precinct, I am told, they were all there armed, just as at Bethel and at Grand Gulf, Peytona, and Port Gibson; all over

the whole county they were right there at the polls armed—armed bands, and no concealment about it at all.

ELECTION A PERFECT FARCE AND FRAUD.

Q. Who did you say were?—A. The democrats. The republicans generally in the county did not arm at all, but went to the polls without arms, except at the precinct of Grand Gulf. At Rocky Springs, where the election was held fairly, they were armed; but through the influence of Captain McLean, and possibly of some other men up there, the colored people were allowed to vote, and to vote as they chose, without being questioned; but in the other precincts it was a perfect fraud and farce, the whole thing.

MILITARY PREPARATION AT PEYTONA.

At Peytona, I was told—and I was told not only by republicans but by democrats—that they not only went there armed in the usual way, with these Russian pistols, but they had a trench dug, probably three or four days before the election, commanding the place where the polling was held, and they had their arms stacked there as we used to do in war. times in fortifications, and they came there and practiced, I am told, to see which could get to that trench first from the polling-place. The idea was that if there was a difficulty they were to run to this trench and grab their arms, and then they would have everything their own way.

BALLOT-BOX OPENED AT BRANDYWINE.

There was also a crowd of democrats at Brandywine, who came down there from Copiah County, armed, with a view of intimidating the black voters. I am told, too, that at that precinct, although I know nothing about it myself, the democratic inspector took possession of the box and carried it off to a democrat's house near by, and kept it several hours, the republican inspectors not being permitted to go there at all; and I understand, too, that he had a key to fit that box. There was a democrat that told me that.

By Mr. McDONALD:

Q. Give his name.—A. Hervey Shannon, candidate for justice of the peace there, and was elected.

Q. Who was the democratic inspector there?—A. The democratic inspector there was J. D. Fairley, who is well known to the people, and I think he is a fair man, although he is a democrat. He has said that he would not have anything to do with a patent election like that, and declined to serve, so I am told. He swore he would not have anything to do with it at all.

A DEMOCRATIC JOLLIFICATION.

That was the case, no doubt, throughout the county generally. As a matter of course these Port Gibson democrats immediately calculated that they had carried the county, so they determined to have a jollification meeting that night, Wednesday night after the election; and they had a kind of jollification meeting, and had a few bonfires and one thing and another. Unger and Bridewell, two republicans, who had come up here to see if they could not get Governor Ames to send some troops there—they had started on Saturday, very soon after I had sent my letter—had got home and came to Bridewell's house, which was probably a half a mile from Port Gibson. They held their jollification meeting, and were going on, and I went out and listened to hear what they said. They were rejoicing, of course, over the election. Finally one democrat jumped up on the stand—I do not know what democrat that was; I

would not be positive whether it was James Rollins or whether it was Walter Magruder, but it was one or the other of those parties, and as I had heard James Rollins talking about doing this thing, I am rather inclined to think it was Rollins—jumped on the stand and proposed to them to go out and deal with Unger and Bridewell. They had a good deal of trouble to prevent it; the meeting was hugely in favor of it; they wanted to go down and attend to them right at once. Captain Kearney, a leading democrat, and one of the captains of this crowd of men, told them that he would not object to going down there to deal with Bridewell and Unger if it was not for the fact that there was an old lady there, old Mrs. Bridewell, and he would not stand that; that he would protect her himself. He might have said that to quiet them, I don't know how that was; but the result was they did not go there.

REPUBLICANS THREATENED WITH DEATH IF THEY CONTESTED.

A few nights after that they had heard from the State and had heard definitely from the county, so that they knew that it had all gone their way, and the consequence was that they had another big jollification meeting; but in the mean while there had been some talk among them that probably this thing would be contested, and that they would not have as easy a time as they thought in getting the offices; so they went to see the leading republicans to prevent them from contesting, and threatened them with assassination, and told them squarely that they would kill any man that attempted to contest this election. They did not make any bones about it. They waited on Sol. Unger, the republican candidate for chancery clerk, in his office, and they told him openly that they understood that he was contemplating contesting this election, and that if he did he would do it at the risk of his life.

By Mr. BAYARD:

Q. Give the names.—A. As I was not present and I did not see this thing, I don't know. One of them was Ed. Briscoe; who the others were I am not prepared to say, but my impression is that one of them was Ed. Briscoe. I would not even say that on oath, because I do not absolutely know; but they were prominent democrats, at any rate. They also waited on James Page, candidate for treasurer, and told him that it would not do for him to attempt to contest this election; if he did, he would be killed, or anybody else that attempted to contest it.

I think probably I was the only one that could have contested it safely, because a number of democrats were really anxious that I should do so, but I declined to do it. I told them that they had elected an incompetent man for district attorney and they might have the benefit of him; I did not propose to contest it; it was no interest to me to be district attorney down there, and I did not intend to contest it at all.

The night they had this meeting they made speeches, and in the speeches they denounced anybody that attempted or thought of contesting that election, whether it was fair or not; whether it was fair or not, it was best, and they would find it was best to let this thing alone. They came out in an address to the people of the county, which they read at that meeting; I have a copy of the address at home, and if desired I will send it to the committee. I can send also that copy of old man Goen's resignation if the committee want to see that.

ENEMIES IN WAR, IN PEACE FRIENDS.

In this address, they urged the people to show that the white people of the county, having been lords of the soil and being now the lords of the realm, and having got their rightful supremacy again, were capable of

ruling, &c., and concluded with this sentence: that they would show to us, as to the rest of the world, that they were enemies in war, and in peace friends. They had a lot of fellows disguised as Indians.

By Mr. CAMERON:

Q. When did they have this meeting?—A. I don't remember the date of the meeting; but as soon as they had ascertained that they had carried the State. They called these men, disguised as Indians, Modocs. I know some of them that belonged to that thing. One of them was the candidate for treasurer against Page; he was the newly-elected treasurer. And they had a banner on which they had inscribed, "If they contest, send for the Modocs." I thought that was pretty significant.

NO CONTEST THROUGH INTIMIDATION.

By their intimidation, and the general feeling of insecurity that prevailed all over the county, and the feeling that these men were desperate, and knowing the desperate way in which they had got possession of the offices, and the way in which they acted, and put these devices on their banners, they succeeded in so terrifying the republicans that they did not absolutely dare to contest, and they did not contest the election at all.

ACTION OF VERTNER.

There are some things I omitted; and one thing I omitted—I don't know that it makes any difference, but it was to the effect that J. D. Vertner was the democratic challenger at the time I voted, and a man came up and voted a ticket which he had closed in his hands, and he would not allow it to be opened, and Mr. Vertner made this remark in a very supercilious way, "All these damned scoundrels from the North, and these damned scalawags, they come up with a closed ticket. A gentleman comes up and votes an open ticket." I just stepped up and said, "Do you see that ticket? Do you see what it is?" And he said, "Yes;" and I then voted. He thrashed around and had half pulled his pistol out, and then looked at me and seemed suddenly to change his mind, seeing I was utterly unarmed. I went there entirely unarmed; as a matter of course I would not come there armed after having advised them to go unarmed; and seeing that, I suppose he thought—well, he just laughed, and said that he could not expect anything better of me.

When this shooting began, the moment the first pistol was fired, Vertner, pulling out his pistol, jumped over the barrier, and ran for the telegraph-office with his pistol in his hand, and telegraphed to General George that everything was all right there; that there was nothing that amounted to anything; that all was peace; and that they would resume the voting, &c. He did that at the time the first pistol fired.

I expect that is about all that I have to state in reference to the election.

NEGROES MUST VOTE FOR DEMOCRATIC PRESIDENTIAL CANDIDATE OR BE DISCHARGED.

There is one thing that I might mention. The democratic club held a meeting, and passed a resolution to the effect that, now that they had carried the election, it behooved the darkies to vote for them and pledge themselves to vote for them, and any darky that did not pledge himself to vote for the democratic nominees in the presidential election, (this next election,) they would not employ him at all; not only that, but anybody else who employed him would be discountenanced. I never saw that resolution, but I have been told by others

that have seen it that it was published in the Clarion. I have no doubt about it, and you could probably find it among the files of the Clarion. I am not positive whether I have seen it or not, but I am satisfied that there was such a resolution and that it was published in the Clarion.

By Mr. McMillan:

Q. At the time this shot was fired upon election-day, the first shot that you speak of, were the whites on one side of the polling-place and the blacks on the other?—A. At one end of the court-house was the window where the voting was going on, and at that end a little fence ran out. Over here [indicating] were the democratic headquarters commanding a view of the polls. In this fence was a kind of gate leading in for the voters to pass through. At this corner [indicating] the darkies were all massed up against this wall trying to get in that gate, and the whites were over here [indicating] trying to get in. There were some few whites scattered around among the darkies.

THE SHOOTING AND ALLEGED OBJECT OF IT.

Q. Did you see where the pistol was fired from?—A. I saw a number of pistols fired. I am just as certain of this as I am of anything at all, that it was not the design of the leaders—and in fact I have been told so; Captain Kearney told me that the purpose was this: their idea was to go up there and crowd the polls and not allow the darkies to get into line—anything of that sort; to go up and crowd the polls and let these democratic darkies and the white democrats vote, and then come round after having voted and get into this pushing arrangement, the object being to delay and use up as much time as possible, and vote as few darkies as possible in that way on the day of the election. He said that they did not calculate to kick up this row. I am positive myself that they did not design to kill anybody, and I don't think that there was any man there who did not regret that there was anybody hurt at all, their idea being to fire a few shots and scare them at the time. I was not so well satisfied of that at the time. There were a good many of them who shot up in the air, but a good many shot down in the crowd. I saw that myself. The shooting was perfectly wild, apparently.

Q. Where was the first shot fired?—A. In a little crowd that were jammed around this man Ed. Briscoe. Some say that he fired the first shot; some say one and some say another. I saw this Lewis Bernheimer; he was an excitable fellow. I think he was all of a tremble, and he had his pistol out, and I think he fired it. Some say that he did, and I believe it myself. They were all jammed up there together and he was there when the pistol was fired.

CASUALITIES OF THE FIRING.

Q. State the result of that firing as to the destruction of life and wounding of persons.—A. There was not a republican or a negro that fired a shot at all; every shot that was fired was fired by democrats. A good many of them were fired in that way; if they had done it with a desire to kill anybody of course they would have killed a good many more, for the republicans were massed, and when they ran off it was in a perfect mass. The result was one colored man killed and six wounded; some say more, but I am satisfied as to six.

NUMBERS PREVENTED FROM VOTING.

Q. About how many colored persons on that election-day were prevented from voting?—A. In the town of Port Gibson alone, there were some eight or nine hundred. In the precinct of Peytona there were, I

suppose, about 200 democratic voters, and we have always carried that precinct by at least 700 majority. We have been in the habit of carrying our county by 2,500 majority; we carried it at the election of 1873 by that number.

Q. Is that about the usual majority?—A. From 1,800 to 2,500; it depends upon what interest is taken in the election.

POOR WHITES DARE NOT BE REPUBLICANS.

Q. What is the relative proportion of blacks and whites in Claiborne County?—A. About three to one, approaching that.

Q. Are the blacks generally republicans?—A. Nearly universally, and the whites as universally democrats; because the class of white men who would be republican, if they dared, do not dare to be, as they are people that are dependent. The merchants, and such men, as a general thing, are democrats, and the poorer ones are dependent upon them, and the consequence is that they rule them with a rod of iron.

Q. Have the republicans had control of the government of Claiborne County for some years past?—A. For the last six years; ever since the latter part of 1869 the republican party has had control of Claiborne County.

CHARACTER OF THE COUNTY ADMINISTRATION.

Q. What has been the character of the administration of affairs in the county, financially and otherwise?—A. I have been pretty familiar with the affairs of that county for years, and I do not believe there ever was a more successful management of county affairs than there has been under the republican *régime*, since we have had control of it. As an evidence of that fact, I will say that John J. Smith, now in the senate, was sheriff there, and afterward, when the republicans got possession of the county offices, we kept him in sheriff all the time, because he was very popular; he made the most efficient sheriff that the county has ever had, and any democrat that will come here, if he is disposed to speak fairly about it, would do him justice, notwithstanding the fact that they were bitterly prejudiced against him. Mr. Smith did some very foolish things, I think; but he discharged the duties of his office to the satisfaction of everybody; there is not a democrat that could come here but what would say that he made a most faithful and efficient officer.

When we went into office our county warrants were selling at forty cents on the dollar. If you could find a man who was very anxious to get county warrants for some purpose, you could manage to get that by hawking them round. We found a debt of between ten and twenty thousand dollars in the county. I cannot state the exact amount of the debt, but it was a large debt for that county. When the late republican treasurer, James Page, turned over his office to the democratic treasurer, you could not buy county warrants at all at any price; there were none to be had; and he turned over $20,000 in the treasury. That shows, I think, a pretty good exhibit.

And, besides that, when we took possession we found everything dilapidated; the court-house dilapidated, the bridges all down—burned by the confederates during the war—and all that sort of thing, and we had to build a good many very expensive bridges. There was one bridge there that cost $29,000. We had to build it in that expensive way on account of the creek, it being such a terribly bad creek to bridge. We had to fix up the court-house, and do a great many things; had to be to a good deal of expense; and we not only paid for all that, but turned over $20,000 to the democratic treasurer.

Q. The county buildings were in good condition when you gave up the control?—A. Yes, sir; all in good condition.

CROSS-EXAMINATION.

By Mr. BAYARD:

Q. I believe you have stated that you had no personal knowledge of what occurred anywhere at the polls, except where you were on the day of the election?—A. No, sir; I don't know that I have any personal knowledge anywhere else.

Q. You spent the day, the second of November, in Port Gibson?—A. The day of the election? Yes, sir; entirely. I was there the whole day.

Q. Have you any personal knowledge of what occurred anywhere else through the county than at that place?—A. I do not think I have.

Q. And a great many of your statements have been made upon information, and I think there were very often occasions when you have spoken of matters without stating whether you knew them or had it from hearsay?—A. It is possible, sir.

Q. In relation to the facts attending the election, have you any personal knowledge whatever, except of such as occurred at the polls at Port Gibson?—A. I think not, sir.

Q. How many polls were there in that town?—A. Only one. There had always been three polls in the town before; but for this election the registrars fixed that up and had it in that way, against my protest.

Q. The county had been, prior to the election of 1875, strongly republican?—A. Strongly republican; very strongly republican.

Q. And as a consequence of that all the officers belonged to the republican party?—A. Yes, sir; nearly all of them.

Q. Which ones were not republicans?—A. There may have been one or two justices of the peace, or something of that sort, who were not republicans; and the deputy sheriffs, they took those largely from the democrats.

Q. That is a matter of personal appointment by the sheriff and revokable at his pleasure?—A. Yes, sir. The surveyor, I think, was a democrat, too, and possibly some other minor officers; but the majority were republicans.

Q. What is the proportionate population of the county, blacks to whites?—A. I could not tell you exactly, but I think it is about three to one.

WHO THE COUNTY OFFICERS WERE.

Q. The census shows 3,390 whites and 9,966 blacks. Now, tell me who was your circuit judge.—A. Our circuit judge was a man named Uriah Millsaps. When I was first elected district attorney, it was called the third district. Our judge appointed by Governor Alcorn was a man named Abel Alderson. His conduct was such that I was compelled to prefer charges against him to the legislature. I did so, and he was impeached and removed, or at least resigned on account of those charges. He would have been impeached if it had not been for that. The district was then consolidated with the fifth district, and Uriah Millsaps, who was judge of the fifth district, presided over it; and all of the counties which had been in the third district were put into the fifth.

Q. What was the character of Alderson's offenses?—A. They were so numerous that really I could hardly tell you. I have got a little pamphlet which contains all my charges, which I could send to you.

Q. Were they for corruption and dishonesty?—A. Yes, sir; I

charged, and I think I proved, utter imbecility, incompetency, &c., and interference with the district attorney in the prosecution of cases in the State.

Q. Who came in his place?—A. Uriah Millsaps. There was no judge appointed in his place; the district was consolidated with another.

Q. Judge Alderson was a republican, was he not?—A. Yes, sir.

Q. Who was your chancellor in 1875?—A. E. G. Peyton, jr., son of Chief-Justice Peyton.

Q. Who was he appointed by?—A. Governor Alcorn.

Q. Was he a republican?—A. Yes, sir.

Q. Who was your district attorney?—A. I was myself.

Q. Who composed your board of supervisors?—A. The first board of supervisors was composed of white republicans appointed by Governor Ames as provisional governor of the State.

Q. Name the supervisors in 1875.—A. Those in 1875 were Hiram Fisher, Frank Shannon, two white men; and three colored men, Samuel Carrick, Peyton Turner, and—I declare I have forgotten the other one.

Q. They were all republicans, of course?—A. Yes, sir.

Q. Your sheriff was a colored man?—A. Yes, sir; he was a colored man.

Q. What was his name?—A. Thomas Bland. He was personally liked, I think, in the county, by both democrats and republicans.

Q. Who were the bondsmen of your sheriff in 1875?—A. I could not tell you now; I cannot remember; he had a number of them. John J. Smith, our senator from that district, was one, I think, and I think a colored man named Montgomery, living in Warren County, who was worth about fifty or one hundred thousand dollars, was another; but I am not sure about that. I assisted in making his bond, but I do not remember now. I was on his sheriff's bond myself.

Q. Who was Haskins Smith?—A. He was a colored boy that was elected to the legislature there in 1872.

Q. Where did he come from?—A. He was a native of Claiborne, I think.

Q. The board of registrars are appointed by the chancellor, the circuit judge, and the sheriff, each nominating one?—A. Yes sir.

Q. Who appointed this Leon L'Ange?—A. I am not positive who appointed him. The board of registrars as first appointed consisted of W. B. Andrews, a man named Levy, and a democrat named Borum. The democratic executive committee when they got together seemed not to be pleased with Borum, and they told me that they wanted another man appointed; that Borum did not suit them; he was a democrat, they admitted, but he was not the democrat that they wanted. They objected to him because he was clerk to the chancery clerk; that was one thing, and they had other objections to him, some of them very good ones, and one was that he drank occasionally; they could not trust him. They recommended a man named Martin, a very respectable man. I told them that I would get Chancellor Peyton to appoint Martin; and I told Chancellor Peyton the objections to Borum, and he appointed Martin. Levy would not serve; I was absent at the time, and somebody, I don't know who, recommended L'Ange, and he was appointed.

Q. By whom?—A. I don't know by whom he was appointed, whether by the judge or the sheriff, but he was appointed by some one of them, and he was looked upon as a republican.

Q. Martin you speak of as a respectable man?—A. Yes, sir.

Q. Those registrars have the appointment of the judges of election

all over the county?—A. I think they have; I believe the late law does give them that authority. I think the law says that they shall do it in the event of the board of supervisors not doing it; but at any rate they appointed them throughout the county.

RETIREMENT OF GOENS.

Q. You have spoken of the retirement of a gentleman from the republican ticket?—A. Yes, sir; W. H. Goens.

Q. Where did he live?—A. In the Peytona precinct; he had been teaching school there for a good while.

Q. He published a card, which you say you have, withdrawing himself?—A. Yes, sir.

Q. Have you any personal knowledge of the circumstances attending the signing of that paper?—A. None in the world, sir, except hearsay.

Q. Whether there were pistols pointed at his breast, you have no personal knowledge at all?—A. No, sir; none in the world; I know nothing in reference to that except hearsay, and the card being addressed to democrats instead of being addressed to me as chairman of the committee, or to the people.

Q. That created suspicion in your mind that something was wrong?—A. That confirmed me in my opinion of what I had heard before, that these things were so.

STUFFING BALLOT-BOXES AT GRAND GULF.

Q. You spoke of ballots being stuffed in the box at Grand Gulf. Have you any personal knowledge of that whatever, or do you speak of it from hearsay?—A. I will tell you exactly what I know of that. W. B. Andrews left town, leaving me in his place to see to the counting of the ballots. He was the registrar. He said he was perfectly disgusted with the election, and if they could get anybody to act for form's sake and look after it, he would not stay; he would go home.

Q. He would not stay, although it was his duty?—A. He said he was disgusted. I staid and attended to it, and looked over it, and saw the counting of the ballots. When that precinct was brought in, the republican inspector came—one of them—and told me that he did not want to swear to the returns. I asked him, "Why?" He said that the ballot-box had been stuffed and that he had refused to go on with the count down at the Gulf, and that they had brought it up to Port Gibson. I then went to the democratic inspector and asked him if that was a fact, and he said, "It is so."

Q. Who was he?—A. His name was D. V. McAlpine. He was one of the democratic inspectors there. He went on to say—these were the circumstances—that he took possession of the box and went into somebody's store there, (I don't know but into his own store, may be,) where he had a bed, or where they have a bed, and went to sleep. They had not finished counting at that time. The next morning when they began to count the ballots they discovered these tickets in there. They knew they had not been voted in there, and he said at once that the box had been stuffed while he was asleep; that some one must have got in there and got the box and carried it out and stuffed those ballots in it.

One evidence to prove that the Grand Gulf box was stuffed was this: there were other tickets in there, a number of them, that belonged to another precinct—to the precinct of Port Gibson. The tally-sheet was gone, too; that was another thing; and he had put the tally-sheet into the box. He positively swore to that, and returned it on oath that that was a fact.

Q. You had it from this inspector?—A. Yes, sir; and I know that he

would not tell anything that was not so. I am satisfied about that. As to who stuffed it I don't know positively of my own knowledge, but I think I do know in a certain way; yet I have no legal evidence of it—not now.

Q. This man told the facts you have stated?—A. Yes, sir. The only positive witness who saw the box stuffed was run away.

Q. You have spoken about a citizen of Port Gibson, one Mr. Mason; what was his occupation there?—A. He is now editing the Reveille. He has been an editor for a long while, and was a prominent merchant there in the town for a long time.

Q. What is his standing in the community?—A. The best in the world. No man stands higher than he does.

Q. Do you know him personally?—A. Yes, sir; and I have the highest regard for him.

Q. A man reliable in his statements?—A. Yes, sir; anything that he would state of his own knowledge.

Q. I meant to say, anything that he stated would be reliable?—A. Yes, sir.

Q. And Mr. Vertner, of whom you spoke?—A. I don't think he would state anything on oath that was not true.

Q. You think he is entirely a reliable person?—A. I think so, sir.

OTHER PRECINCTS.

Q. Have you any knowledge of matters at Bethel except from hearsay?—A. Nothing, except what I related that took place before the election. Anything that took place during the election I have no knowledge of.

Q. You spoke of certain events at Brandywine precinct; have you any knowledge of them except by rumor and hearsay?—A. No, sir.

Q. You spoke of the removal of a box by Hervey Shannon?—A. No, sir; he did not remove it; the democratic inspector removed it.

Q. Where was this?—A. At Brandywine. Hervey Shannon was a candidate for justice of the peace on the democratic ticket. He was the one that informed me, and I had been informed by others, that the box was taken off and kept at a democrat's house for a good while, and the republicans were not present.

Q. Was not that election under authority of a majority of republican judges, as every other election in the county?—A. No, sir; it was not.

Q. Were not the republicans in the majority on the board of registrars?—A. My opinion is that Leon L'Ange was bought by the democrats of the county; that was my view of it. I think so, in the first place, because of his universal action against the republicans in everything; and I think so, furthermore, because he said at Port Gibson immediately after the election that he had played a very important part in the election, and that the election was due to him; another thing, he was appointed deputy sheriff by Mr. Drake, who was elected as sheriff. Now, Mr. Drake would never have appointed a character like L'Ange, if it had not been agreed upon beforehand; and he discharged him just as quick as he could get any pretext for doing so. They appointed a majority of democrats throughout the county.

Q. At the Brandywine precinct there was a majority of democrats as judges?—A. I think there was.

Q. That is your personal knowledge?—A. No, sir; I don't know who the democratic inspectors were there except one; I don't know that of my own personal knowledge, but I understood that J. D. Fairley was one.

Q. Are you able to say, of your own knowledge, that there was any dishonesty connected with the Brandywine precint or not?—A. No, sir.

INTENTION OF THE FIRING AT FORT GIBSON.

Q. In regard to affairs on election-day at Port Gibson, you described the events that preceded the firing of this pistol, and I understood you to say that you did not know by whom that pistol was discharged—the first one?—A. No, sir.

Q. Did I understand you to say from what you learned, both before and after or at the time of this occurrence, that you did not believe it was the intention that any one should be injured there?—A. I felt satisfied of that since, sir. At first I thought it was a bluff, and I immediately holloed to the darkies not to run; but afterward when I saw a good many firing in the air and some firing into the crowd, and when I saw that some of their pistols were directed toward the colored men, and pretty soon the balls began to strike the court-house right near me, I thought things were getting a little serious.

ABOUT THE MAN WHO WAS KILLED.

Q. Who was the person shot and killed?—A. An old colored man, whose name I have forgotten. I did not think of it when I was testifying in reference to that. I thought his name was not of importance, and did not mention it, and I cannot now remember his name. He was an old, innocent, inoffensive colored man there.

Q. Where was he standing?—A. I don't know, sir. He was running at the time he was shot. I think he was shot, and probably ran twenty yards before he fell. I don't know that of my own personal knowledge, but that is what all say.

Q. Did you see him after he was shot?—A. No, sir; I did not go to see him at all.

Q. Have you any personal knowledge of his being killed at all?—A. I know he was killed. He was buried that same evening by the democracy; they turned out to his funeral.

Q. Do you know what his politics were?—A. I do not know what his politics were.

ABOUT THE WOUNDED.

Q. Who were the persons injured otherwise?—A. There were a number of colored people that were injured; they were all colored people that were injured. I could not tell you the names now, but they were all from near round Port Gibson, within two or three miles maybe. There were two that I remember now, the others I do not remember; an old darky named Wyatt and his son, they were both wounded; and Wyatt, I talked with him about it afterward, and saw where he was wounded. I think he was shot in two places. He showed me his wounds at any rate, and seemed to blame me for it because I had not armed the colored people; because I had told them to go there unarmed.

Q. How many were wounded to your knowledge?—A. I am pretty certain that there were six at least besides the one that was killed.

Q. That is of your own knowledge?—A. No, sir; I cannot say that it is of my own knowledge; I only saw those two, and those are the only two that I can remember absolutely about; but I am positive of it as I am of anything that I did not see myself.

ABOUT THE CANNON USED AT ELECTION.

Q. How about that cannon of which you spoke?—A. There was a cannon that belonged to the democracy. They kept it for firing salutes. There was no concealment about it at all. That cannon was loaded with

tin canisters that were filled with buck-shot. The canisters were said to have been made by Schaff, who is a White-Line tinner there.

Q. That you have no knowledge of beyond your information?—A. No, sir; I never went to look at the cannon, although I know they had a cannon there.

Q. Did you see the cannon that day at all?—A. No, sir.

Q. Have you any knowledge whether it was loaded that day at all?—A. No, sir.

Q. Was it, in point of fact, fired that day, to your knowledge?—A. No, sir; it was never fired that day.

Q. Are you able to state who had it in charge?—A. No, sir; I am not.

Q. Who was Capt. N. S. Walker, who stopped the talk of Magruder and Riser?—A. Capt. N. S. Walker is a very nice gentleman, born I think in the State of New York, West Winfield, N. Y., and he came to Claiborne County some eight or ten years before the war, and was a captain in the confederate army. He is a freemason there, as I am.

Q. Was he a democrat or a republican?—A. A democrat; a very strong democrat, but at the same time a very warm personal friend of mine, besides being bound to me by masonic ties.

ABOUT THE MAGRUDERS AND KENNARD.

Q. Mr. Stiles, what influence had Dr. Magruder—with which party did he act?—A. I had always had a high opinion of Dr. Magruder up to that time. He was looked upon as an old-line whig; belonged to the same party as my father, and was in the same church and everything, and I had been taught to look up to him, but it kind of looked that day as though he was crazy.

Q. With which party did he act?—A. He was a bitter democrat.

Q. What influence had Dr. Magruder with the negroes that enabled him to go around and induce them to come there armed?—A. This was not Dr. Magruder; this was W. T. Magruder. He had no influence upon them; but the darky race is a superstitious race anyhow, and he would go round and tell them, "There is going to be trouble; the democrats are going up there armed, and you had better be armed," and so on. The darkies came to me and said that W. T. Magruder was advising them to do thus and so, and I told them not to pay any attention to his advice.

Q. And you took some pains to give them contrary advice?—A. I took some pains to prevent it. I had difficulty in preventing their coming armed on account of this. I was busy two days to prevent that thing.

Q. Who is Col. J. L. Kennard?—A. Chairman of the democratic executive committee at Port Gibson. I have a higher regard for him than for almost any one of the democrats, for I believed that he was sincere all the time, and desired to have no difficulty, and to have a fair, peaceable election.

THE WHITE-LINERS.

Q. Did he join this organization called the White-Liners?—A. I don't know whether he belonged to it or not.

Q. Do you know how many members were in that organization?—A. I could not tell you that. I could show you, though, a document which would tell you; that is, their constitution and platform.

Q. It was all published?—A. I think that they published it. Their meetings were not public, they were private; no one was permitted to go into their meetings.

Q. Do you know what they did there?—A. I do not.

Q. Was the oath published with their preamble and resolutions?—A. No, sir.

Q. You are sure of that fact?—A. No, sir; but I presume not, from the fact that it was reported that they were bound in that way.

Q. Have you any personal knowledge of that fact?—A. No, sir; I went in there one night——

Q. Was an oath presented to you to be taken?—A. No, sir. I was in there one night, and I was told this: that unless I signed their constitution, or whatever it was, unless I was in favor of the objects of the organization, I could not stay there, and that I would be requested to leave. I told them that I did not know what their objects were, and I would like to see what they were, that I might be in accordance with them; but I was not permitted to see. I believe Major Mason told me that the object was to preserve peace and all that sort of thing. He said that the object in getting up the White Line was to preserve peace; hat they had a constitution, and that everything was writen out, which they did not publish.

Q. Did he tell you that it was a secret or oath-bound organization?—A. I don't know that he did, but I got the impression at any rate that it was, and I believe that it was now.

Q. Have you any knowledge on that subject?—A. None at all except what I have heard from others.

PERSONAL STATEMENT.

Q. You spoke of persons visiting your room the night of the election after the election was over?—A. I have no personal knowledge of their having gone there at all, but I heard that they did go there. Mr. Martin came to see me, and others told me the same thing; but Mr. Martin came to me the next morning, and told me that he prevented them from waiting on me and ordering me to leave, or doing me some harm.

Q. Where did you go there that night afterward?—A. To the house of a republican. I went where I was satisfied that they would not suppose I was.

Q. Was your room that you left behind you locked?—A. I think it was.

Q. Was that broken open?—A. Not that I know of.

Q. Was anything in it disturbed?—A. Not that I know of. The office was the office of Thrasher and myself; we were in partnership, and we staid there. I staid there but very seldom unless he happened to be absent, and he was absent at this time, and my intention was to have staid there. I do not know that I went into the office again for two or three weeks afterward.

Q. Did you find anything to show that persons had been there in your office disturbing it at all?—A. I do not know that I did. I think I left town the very next day and went out to my place. I do not think I went there for a week or more.

Q. Have you personally experienced any injury?—A. None in the world.

Q. And you have stated all you know personally in regard to these subjects?—A. I think I have stated everything I know.

J. D. VERTNER—CLAIBORNE COUNTY.

JACKSON, MISS., *June* 23, 1876.

J. D. VERTNER sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. At Port Gibson, Claiborne County.

Q. What is your profession?—A. That of a lawyer.

Q. How long have you resided there?—A. Since my birth, with the exception of an absence of perhaps eight years; I left there before the war and resided in a free State.

Q. Have you resided in Port Gibson from 1875 and up to this time?—A. Yes, sir.

Q. The attention of this committee has been called to the election of that year, 1875, in reference both to the canvass and to the occurrences at the election, and I would like to ask you to give a statement—a history of the canvass, in short, if you took an interest in it; state with which party you acted, and what was the general history of the canvass and of the election itself.—A. Yes, sir; I acted very prominently in the election as one of the executive committee and also as president of a club in the town of Port Gibson, which was a central point. It would be at great length to give you a history of the campaign.

Q. It has been stated at length here by Mr. Stiles.—A. I would like to ask, before I proceed, whether he has been before this committee to retract some of his statements that he made yesterday as to matters of fact, which he promised me to do?

Q. I am not aware of it.—A. One of those statements affected myself.

THE INTERMARRIAGE CASE.

Q. Did he state that to you?—A. Yes, sir. Our campaign opened, I think, in the month of September, about two months before the election. Just prior to the opening of the campaign, however, an incident in no way connected with politics occurred, which produced a very bad state of feeling between the whites and blacks. It was not the marriage of a negro with a white woman, so much as the incidents connected with it. There was such a marriage in the county, and while the white people took no part in it whatever, the parties being of humble origin and not in the society of the place, yet the father of the girl felt himself very much aggrieved, the boy having been reared in his family and brought up with the girl. The father was a desperate man, and he threatened to kill him. I myself overheard no such remarks on the part of the negroes, but a gentleman of respectability informed me that they had threatened to burn the town and wreak vengeance on the people if a hair of that negro's head was harmed by Mr. Smith.

Q. Smith was the father?—A. Smith was the father.

Q. State the names of the persons married.—A. The boy was a negro by the name of Haskins Smith. The girl was the daughter of William Smith, who kept the public hotel of the place. The boy, while a member of the legislature, was a boot-black in the hotel and a waiter, and continued there during the time that he was in the legislature, waiting on the table during the recess, and finally he ran off with this girl. It created some impression upon us, but of course was beneath our notice; but these remarks which were said to have been made very publicly ——

Q. You say the father of the girl was very much excited?—A. The

father of the girl was very much excited, and the mother has never recovered from the shock that she received at the time. The father in that exasperated state of feeling proposed to kill the negro whenever he returned. He was a very good negro, and held in very good esteem by the white people. The negroes here, Haskins's friends, seeing him with a shot-gun, gathered round his hotel *en masse*. I saw myself the excited crowds that gathered there from day to day.

They were absent during all this time—the man and woman who were married. The negroes made a great many threats, according to hearsay, but we paid no attention to them. On Sunday, about one week after the occurrence, the negro was brought back to the place by prominent negro leaders, among them the black coroner of our town, who is now in this jail, the leader of a band which has been sent to the penitentiary for burglary. They went down with carriages to bring the negro back. The negro protested against it, saying he had outraged the feelings of the family and preferred to remain where he was; but they took him by force and brought him into the village on a quiet Sunday, with four or five young men armed, and they paraded our streets, up and down, with this negro, who had offended the feelings of this family in their midst; and then, not content with this, they followed our young ladies, and went to our grave-yard where our parents are buried, and trod all around there, and marched back.

THE WITNESS THREATENS THE COLORED PEOPLE.

I told the sheriff—a colored man—by the eternal gods, if ever again such a thing were repeated, blood was thicker than water, and we would kill the last son-of-a-bitch; that if ever such insults were heaped upon us again we would not stand it. He told me that they started from the jail with side weapons and that he expostulated with them to go back, and said that he had lost control of his people.

THE WHITES ARM.

We, seeing that aggressive spirit, and being insulted on the streets frequently, instantly called a meeting; it was totally disconnected with politics; and we armed ourselves thoroughly and completely; that is, the citizens generally. There were 80 of us, with, perhaps, 80 guns.

PROPORTION OF THE RACES.

Q. State the proportion of the black population compared to the white in your county?—A. Our population is twenty thousand, I think, by the recent census. There are fully three to one, if not a little more. I think there are about one thousand white voters—eight or nine hundred white voters—and about four hundred who have not been in the habit of voting until the last election.

That was the first event disconnected with politics, but which brought about a very excited state of feelings in our midst; that was the occasion of our arming and nothing else; it was totally disconnected with any politics. There are two radicals who have always affiliated with that party in the town, who joined with us in this organization of men, armed.

DISGRACE TO BE CONNECTED WITH THE REPUBLICAN PARTY.

Q. State their names.—A. One of them was a Mr. Gordon. I would not be certain about the co-operation of the other party with the radicals; he had not received office and I will not mention him, for, although elsewhere it might be a favorable mention, yet in my country it is considered a disgrace for a white man to be connected with the republican party, and I will not, therefore, mention him. He received

office from the General Government, though not from the State government.

Our democratic club was in session when this meeting was called, and it was adjourned by me. The matter was mentioned; I remember rising and suggesting that it be disconnected totally with our club as a political organization. That meeting was adjourned, and another was subsequently called, and the arms were purchased, and there was not a white gentleman of any party in the town who refused co-operation in the arming of the citizens.

TWENTY YOUNG MEN AT A REPUBLICAN MEETING.

If my memory serves me correctly, I think the next event that occurred producing any excitement or having any violent aspect, was the attendance of about twenty young men at a republican meeting in the neighborhood of Oakland—Bethel. There were men in our community who were making inflammable speeches, or it was so reported, and they attended for the purpose of hearing them, and they did report them as of an inflammatory character. They were completely badgered by the negroes at the meeting and very much insulted. It, however, produced no trouble.

AN ALLEGED INSULT BY THE NEGROES.

But on the following Sunday evening a band of negroes, affiliating with the republican party, left our town—or perhaps it was Friday evening. There was a protracted meeting going on at the Methodist church, I remember. This band, in passing out of the town, stopped before the door of the Methodist church, while the services were about one-half finished, and struck up a tune within twenty steps of the door of the church, and played out their tune; and that created an intense excitement among the gentlemen present; but no one of them left the church. This band was going down to attend a meeting in the neighboring county to re-enforce the negroes there. There were, perhaps, thirty of them. They played their tune in front of the church, and went out of town in that style.

RUMORS OF NEGROES ARMING.

On Saturday, I think it was, while they were out, we had rumors that arms had been purchased in Memphis by the colored people in our county. There was a good deal of excitement up there, and a great many of our people, who for the last eight years have been completely intimidated—our white men—so much so that it was very difficult to get them up to the duty of their manhood in some of these excitements which threatened the peace of our community. However correct the rumors might be I do not know, but Mr. Botto, editor of one of the papers there, subsequently telegraphed me that it was true that they had purchased guns, but not as many as we had heard; that they had purchased fifty-seven guns. That, in connection with another rumor that the negroes were returning to Port Gibson with 200 negroes in their company—whether armed or not I do not know; I do not remember that that was reported to us; but it was reported that on Sunday this band were returning into town with 200 negroes. The excitement was already very intense from the insults, as they took it—whether they meant it as an insult or not, I am not able to say; but they did stand in front of the church and play a tune; and when asked afterwards about it, did say that it was in compliment to Judge Baldwin, who is our democratic delegate at Saint Louis from my district—a very improbable story.

ACTION OF THE WITNESS AND HIS FRIENDS.

Owing to the excited state of feeling arising out of the manner in which they left the town, we thought it best that they should not enter the town with the 200 men, and I went with eight armed men—Mr. Stiles rode side by side with me, and told me that this ought to be stopped, and that under no circumstances ought they to be permitted to come into town. I was unarmed. Mr. Magruder, a particular friend of mine, was unarmed, and Mr. Briscoe, who was in charge of the gentlemen, was unarmed; and we went for the purpose of stopping their entrance into town, owing to these facts.

This band was composed of loud, insulting, overbearing negroes, who were very loath to return, as Mr. Briscoe reported when he asked them to do so; but finally agreed to do so. All those who lived alongside of us, near town, went through peaceably, and the others—there was not more than sixty when they got within sight of us, as far as I could remember—it was a very large crowd, and most of them who had been following the wagon turned back, and others of the negroes told us that there were about seventy more that had dropped off on the way, and that they had not meant anything by coming into town.

We explained to them our object in coming out to meet them; that it was in the interest of public peace; that Mr. Bland, the sheriff, said he had no longer any power over them; and that this was in the interest of peace. That was the only instance that had a very violent aspect.

By Mr. McDONALD:

Q. How many white people went out to meet them?—A. There were eight with the exception of Mr. Stiles, Mr. Briscoe, and Mr. Magruder, making eleven altogether.

ANOTHER VIOLENT ASPECT OF AFFAIRS.

The next thing having a violent aspect was on the following Monday, when Captain McLean, who held the office of justice of the peace under the republican party, in the neighborhood of Rocky Springs, who now also holds that same office under the democrats, and a very good man, and an intelligent citizen, hearing that there was a disturbance at Port Gibson, from the fact that they had seen us go out armed, he and others had started, and on Monday, about noon, while the court was just adjourning, they came into town, perhaps twenty-odd. I counted about that many; I don't know whether I counted all of them, for they had scattered, some of them—all with shot-guns; and the sheriff went forward and met them, and Captain McLean said that he had heard there was a disturbance, and that he had come down to tender these men.

Q. And this Captain McLean was a republican?—A. I do not state that of Captain McLean. I say that he held this office under republican rule in the county. They were favorably disposed toward him and he was elected, and he had the office of justice of the peace in his neighborhood—the only intelligent one that there was under their rule.

A NEGRO ARRESTED.

They dispersed—the sheriff told him that they could disperse and return home after dinner; and the negroes gathered in knots and were extremely excited over it, and insisted upon a fight and a row, and one of them as I passed them—I knew him well; he had been a client of mine; they were gathered in knots around the court-house, and there were, perhaps, two hundred negroes in town gathered about the court-room. At every court they lay around during the session of the court, some as witnesses, and some as jurors, and some hoping to be called upon the

juries, and they come there in great numbers, on that day particularly so. As I passed through, the leader of one of these crowds made use of the remark, "By God, we will give these damned sons-of-bitches hell before this election is over." I stopped him, and the sheriff at that instant, while I was speaking to him, came up—he had heard the speech, or it had been reported to him—and arrested him. I asked him to release him. He carried him to jail, and I followed him up and begged him to release him; that we would take care of ourselves.

EXTREMELY INSULTING NEGRO MAN AND GIRLS.

He was extremely insulting, and while I was talking to him another negro ran up and put his hand on my shoulder, shoving me aside so rudely that I pulled out my pistol, and he was very excited at that, and ripped out an oath at me. He was instantly arrested and carried off. This negro I found afterward to be a very silly, simple fellow; seemed to be almost simple-minded; and he told me that he was a good democrat before he left the town—seemed to be completely silly.

Another crowd I passed through made use of a similar expression, and there appeared to be such an excited state of feeling that we armed ourselves and placed a guard outside of the town every night. The ladies were in a great state of excitement. The negro girls about the house were making use of remarks such as—that they had better behave themselves; that the white women were in their power, and that they were vastly in the ascendency. They were very insulting, and many of them were discharged, and the ladies were doing their own house-work The whole community was in a very feverish state of excitement—more fear than anything else; and the sheriff himself joined with us in thinking it necessary that we should put out a guard at night.

Q. The sheriff was a colored man and a republican?—A. Yes, sir; he was a colored man. The Vicksburg affair had occurred some time before, and this gave a coloring to all these things, and our community were very greatly disturbed; a great majority of them were fearful, and we kept out a guard for perhaps one week after that, until we were satisfied that there was no danger, and then it was disbanded.

THE NEXT EXCITEMENT.

The next excitement that occurred was on the day of the parade, about three or four days before the election, and several speakers were announced, and a very violent man, whom I consider deranged, Dr. Sprott, was reported as making very violent speeches—harangues; and in one instance was reported by a negro as having carried his Enfield rifle to a political meeting, and had it standing by him as he made his speech, which was a very incendiary harangue.

Another negro, a member of the board of supervisors, was reported as making such speeches also. Colonel Patterson, who had gone over to that party, having lost his standing with us, told me, when I asked him the truth of what I had heard—that he had pulled out his pistol and laid it beside him when he was speaking—confessed that it was true, and expressed his regret for it. These things were going on at their meetings, and there was a very high state of excitement, and threats and rumors were constantly brought to us by the negroes.

A MIDNIGHT ALARM.

I was aroused one night at 12 o'clock by a negro coming to my house and reporting to me that on one of the plantations the men were then up—it was about 12 o'clock when he left, and I suppose it was about 1 o'clock when he got there to my house—the negroes were up on Judge Stamp's place, one of the populous negro districts of our county, and

that they were carrying on in such a manner that it had frightened him, and he said that he wanted clean hands. He said they were gathered with their shot-guns out, and were speaking of coming in town to teach the white people a lesson, and so on; and that at the quarters the young men were loading their guns and talking very badly.

The same messages were brought to us from various parts of the county. I know another instance, of my own personal knowledge, where these rumors were brought to us by colored people. A young man came through the swamp eight miles at night to report what was going on in the quarters of his mother. Upon examination we found that there were some young men who were cutting up a little in their quarters, but no such thing took place as we feared; that is, that they were coming in in a body that night. The rumors were of such a nature that we mounted the night-guards again, and kept them out from that time until the night of the election.

MORE INSULTS.

The third day before the election this great gathering of the radical party took place, and we thought that as they had advertised that they would have 1,500 horsemen in town, besides the fact that I had been insulted at every corner in our own parade, as were other gentlemen—when we had made our first parade there we were thought to be saucy; I did not pass a single street corner that some negro did not apply some epithet, and other gentlemen told me the same thing. That was our first great parade of mounted men in the town, and this was their counteracting one, in which they had informed us that they would outnumber us three to one, and I presume that they did. There was an immense gathering of them, and we thought from their previous conduct in town and various overbearing demonstrations to us that it would be better that we should be protected by our own friends coming from other towns. We advised them to come. I did not count them, but I do know that in the first parade that we had we brought out the white strength of our county; we had about 450 odd men. This parade was a smaller one—I don't know the exact number, but it was smaller than the first. There were, perhaps, about three of the negroes to one of our horsemen.

LADIES ALARMED.

We urged our friends, as a measure of safety to us, to come into town. I, myself, was the first to propose that, and I did it because there seemed to be such a general apprehension of danger among the ladies, and the community, and I told them that, moreover, we ought to go to this meeting; that they came to our barbecues, sometimes two or three hundred strong, and that we ought to attend these meetings and get at the truth of these reports.

MAGRUDER LASHES A NEGRO OVER THE HEAD.

When they assembled, we followed them out for the purpose of keeping order in the place. We thought the excesses to which they had gone before would not be borne, and that it would bring about a general difficulty in our community, which we were anxious to avoid.

No difficulty occurred in the parade that day until a gentleman, just in front of me—I saw it—was riding from a side street, brought his horse in front of the band-wagon, when one of the Page negroes, I think, cried out to him to get out of the way, and applied the epithet "You damned white son-of-a-bitch." This young man could not reach him, but some other negro near him evidently got into conversation with him. I did not hear what passed between them, but the result of that conver-

sation was that young Magruder, the man who had rode up in front of the band-wagon, lashed him over the head with a whip that he had riding with; and he was somewhat separated from the body of the men that was opposed to him. This band-wagon came up, and Magruder went forward. He is a very excitable young man, and when he struck the negro with the whip, instantly pistols were drawn by these negroes in the band-wagon; and at the same time ours were drawn. I had out my own, and I was in charge of a very small squad of men. The others were on horses, and I was on foot at the time; had not followed the crowd; and that was the way I happened to see it.

THE PROCESSIONS COLLIDE.

But we begged them to be cool and deliberate, and Captain Kearney, who was in charge of our men, a very cool man, held his men in check, and very soon order was restored, and the parade continued.

Our streets are but few, and as they marched up one street we marched up another. We met them at another corner near that part of the town where there is a large negro settlement. Now, this is hearsay entirely, from Captain Kearney and others—I am sorry that my witnesses are not here to-day—those on that point—but both white and black tell the same thing in regard to this. When they met on that corner, the band-wagon being in front, where these Page negroes were, who are the most boisterous, we came together again on that street, and the two processions collided there; and the negroes were so excited that they jumped out of the band-wagon and said, "By God! if you mean fight, we will have it;" and they ran into their houses and came out, five of them, with their guns on their shoulders; and instantly some of our men ran back—some of them were not armed at all—and got their guns.

We expostulated with them, and said you must take them back. They said, no, that in front of the procession the negroes had arms, and they were unarmed themselves, and they wanted to keep their guns; but in about five minutes these negroes had again put up their guns, and these gentlemen then replaced theirs, with the exception of three of them, and them we could not prevail upon to put up theirs. They said that there was an evident desire on the part of the negroes to start a difficulty, and that they were going to be prepared for it when it came. I offered one of them a pistol that I had, and he gave up his gun.

ARMED HORSEMEN DRAWN UP IN LINE TO HEAR REPUBLICAN SPEECHES.

We went out then to the barbecue grounds, and the speakers, all of their own accord, left the grounds. We were drawn up in perfect order, and in order to get more perfect control of the men I suggested to Major Mason, an elderly gentleman, that they be drawn up under their separate commands so that order might be more rigidly enforced. We waited for the speaking to proceed, but their villainy made them cowards, and this man Sprott, and Unger, and others left, and the colored people remained. Our men were drawn up in line, and when they went near their tables, or anything of that kind they were ordered back; and the speaking might have progressed with perfect impunity.

By Mr. McDONALD:

Q. They were ordered back when they went near the tables?—A. Our men were ordered back. Mr. Stiles came up and got into conversation with some democrats. There was a suggestion made that he make a speech, and that I or some one else among the democrats should answer him. I said, "No, sir, you can proceed in your speaking after your own way; this is your barbecue, and you can proceed with it in your own way." And finally, that being the answer they got as to the

democrats making any speeches, Mr. Stiles got up, and instead of making any speech, he simply invited them to dinner; he said, "I will make you a speech, the best I ever made in my life, and that is to invite you to dinner," addressing the colored people. They went to dinner and ate their dinner and dispersed. That was the history of that parade-day.

ABOUT THE PROCESSIONS.

By Mr. BAYARD:

Q. Did the white men at any time rudely break through the parade of the colored people?—A. The only time that they collided was at that time.—Ah, there is one other point: after these shot-guns were brought out I am told—and that was repeated afterward by both black and white—Captain Kearney, who was a very dispassionate man, said he saw them with five guns; he did not know that there was any more; but after a short time they were replaced. That, however, created an intense feeling, and indicated a purpose on their part to have a difficulty, and it was fully expected, though very much regretted.

Many of our men who were unarmed dropped out of the procession, and the feeling became so intense about that time that the colored people sent word to us that they would leave and go to the barbecue-grounds if we would draw up in such a way that they could do so. We had blocked the streets then, and they would have had to have wheeled on their track—and there were an immense number of them—and they wanted this street unblocked, and said that if we would arrange ourselves so that they could leave town that they would leave and go to their barbecue-grounds. Captain Kearney drew the men off, and they deployed upon one of the side-streets to allow them to pass.

ABOUT THE NEGRO ASSAILED.

As they passed, I am sorry to say that there were some young men who jeered at those who lived on their plantations; but only in one instance was there anything like violence, and that was a personal encounter between a young man and one of his own servants who lived with him, and who had joined in the procession. This young man—he is scarcely twenty-one—rode up beside him and snatched his hat off. That was the only act of violence that occurred after that. Their procession was not broken into other than that instance of the man's hat being snatched off. He was instantly called back; one gentleman went forward, Captain Kearney, I think, and he ordered him back.

Q. Were there any blows struck, men breaking through the procession rudely, and interfering with its marching?—A. Not a bit of it. The first insult that passed came from this colored man. We were determined that such a crowd of men should not come into that village, and we ourselves be unprotected. For that purpose we brought our men there, and I heard Captain Jones threaten to shoot any man in his command who disobeyed his order; that he had been placed by their order in command of them, and he intended to command them. Mr. Stiles, if he states that, stated an absolute falsehood, and he knew it. He was not even there.

WITNESS GIVES ANOTHER WITNESS THE LIE.

Q. Mr. Stiles, as I remember, stated that the procession of the black people was broken through by the white people?—A. Did he state it of his own knowledge.

Q. Yes, sir; he says that they broke through the line of the procession of the blacks, and that they struck them over the head, and that they bore it under his admonition patiently; and, to use his phrase,

"they marched like heroes."—A. He is a liar, for he got off the cars, and came to that barbecue after the procession was over. He was not in the county; he came from Vicksburg or Natchez, and got off the cars, and came to these grounds; and if he states that he tells a lie. He, moreover, stated something in regard to that election, that he, himself, had promised to retract.

Q. At the time you went out to this place, did the white people eat up the dinner of the black people?—A. Nobody touched it, sir.

NO WHITE MEN EAT DINNER AT THE BBRBECUE.

Q. Did anybody interfere with it in any way?—A. Never, for a single instant, sir. I was there all the time myself. He then was there for the first time on that day. There was not a single instance in which a white man got a particle of that dinner. In fact, they were twitted with the fact that we had always invited them to dinner, and that they did reciprocate. There was a rope stretched around the table, and there was not a white man that transgressed over that line. A few white men went in there to talk with some colored people, and they were called back. They never partook of any of it. I state on my oath that there were not three white gentlemen that got a morsel to eat at that dinner, and they did not desire it, either.

By the CHAIRMAN:

Q. What Mr. Stiles said was about like this: he said there were some white people who were not ashamed to go to the tables and eat.—A. No, sir; there was not even any table spread. It was dealt out of a little booth. I said to one of the colored people, "Why don't you spread a table?" And they said, "These corn-field fellows would steal all we had and get away with it." The tables were not even spread. If Mr. Stiles states that he saw anything of that kind I pronounce it unqualifiedly false, for he was not even there in town.

By Mr. BAYARD:

Q. Do you remember any conversation that day between Major James S. Mason and Mr. Stiles, in which Mr. Mason stated that the white republicans had better tell the negroes to go away, for he could not answer for the consequences?—A. I did not hear it.

NEGROES LEAVE THEIR BARBECUE IN A VERY SULLEN MOOD.

Q. Was there any occasion for such a remark?—A. There was no more intention of doing violence to the negroes than to a band of sheep; not a particle. We all dispersed after they had had their dinner, and they left in a very sullen mood. They left, some of them, with sullen countenances, and marched back through the town in squads—they marched in small squads, but in order—and our men went on to town after they had left the grounds and dispersed, and nothing else occurred that day.

MORE RUMORS OF NEGROES ARMING.

Rumors, of course, flew thick and fast to and fro on each side, I have no doubt. Rumors came to us that night and the next night, and the town was in a perfect state of excitement from that time on. I think the night of that parade was the third night before the election, and rumors were being constantly brought to us from all sections of the county that, under the influence of the feeling engendered at that meeting, the negroes were arming, and that violent threats were being made. These reports were brought to us by negroes.

I stated out of order of time—this negro brought me, I think, that very night—the third or fourth night before the election—word that they

were arming, and that very threatening things were being said. The people were in a high state of excitement. The sheriff himself thought it was best that a guard should be kept, and he consulted very freely with us, and guards were put out.

Little squads of negroes were seen in various points in the county—so reported to us—some with shot-guns, and some without; and, in one instance, three hundred were reported to be in one open field from a certain neighborhood; and it was from this place of Judge Stamp's.

ELECTION DAY.

This excitement continued until the very day of the election. We called a meeting of our town club, in which it was debated whether we would go to the polls with arms or not, and it was decided not to go armed. It was reported that the negroes were bringing arms in and stacking them at a certain house near town; and rumors flew thick and fast, I suppose, both ways.

We had about 130 or 140 voters in the town of Port Gibson, and then the suburbs would make us, perhaps, 200 white voters, and we were opposed by 1,000 colored voters in that district, if I mistake not, that usually voted at that poll. I think it was the most populous poll in the county. We felt very apprehensive, from the rumors that were brought to us, and kept out these guards all night long.

We urged them not to go to the polls with guns, but some gentlemen, out of precaution, felt that they ought to take guns. We urged that nothing of the kind should be done; that we could leave the arms where we could reach them readily, in case of danger, and that on no account should they take them with them.

We had been uniformly crowded at the polls, and kept back to such an extent that our people would become disgusted and leave, and I suggested, myself, to them that we should sleep near the polls that night, in order that we might be there early the next morning, and that the history of the past should not be repeated, and get our votes in at the beginning; that we had better be there on hand. We left our guns, though, not where we slept, but at a different point; about seventy guns, I think there were, all counted; we did not have all we had purchased; we left them at a place up street, and left a guard of two men with them, and we went down, about thirty of us, and slept near the polls; and in the morning when the voting commenced we were on hand before the country people had come in, and we commenced the voting with our men near the polls.

The voting proceeded quietly. Some of the republicans who were in the lead—colored people—came up and voted. I kept tally.

Mr. Stiles told me that he stated to you that I was a challenger, but I was not employed in any capacty, except voluntarily keeping the tally, and Mr. Stiles stood by me the entire time, except that just before the difficulty he was at a little balustrade that surrounded the poll, and that was the only instance he ever was from me up to the commencement of the difficulty.

A QUIET ELECTION.

The voting proceeded quietly. We had on our tally-sheet about twenty odd republicans, I think, who had voted; somewhere in that neighborhood, and as they passed in and out they would pass jokes with me. One was a colored preacher and barber, and a little of everything, and he made some joking remark, as he passed me, and matters proceeded quietly. I do not suppose an election on the face of the globe was more quiet and more orderly; every man was taking his turn.

The negroes outnumbered us at the polls very largely, perhaps about seventy or eighty.

About 12 o'clock there came from two opposite directions two bands of negroes marching two by two, with a leader; and after they came up and joined the crowd, which made them largely in the ascendency. I remarked to a gentleman who was with me, "Well, I suppose we are outnumbered here about two to one now." After that company came up, marching in order in that way—it looked quite military-like—a negro who was in the crowd, and was a very uproarious negro—now this I am stating just at this point from hearsay, from a colored deputy appointed by Tom Bland; this colored deputy told me the origin of that difficulty——

Q. What was his name?—A. A negro by the name of Van Morris, they called him—I do not know what his real name was—who lived with Mr. Morris. This difficulty occurred when Mr. Stiles stood near me. We stood apart from the scene of the difficulty at its inception, as he acknowledged to me since. He says that he went around there and came back instantly, but he acknowledges that the first pistol was fired before he went around.

ORIGIN OF THE FIRING.

The orign of that difficulty I did not see; I was only told the origin—which made the basis of the dispatch of which Mr. Stiles spoke—by a colored deputy, in connection with a white one who was with him at the time; and he said that the difficulty occurred in this way: after the two companies of colored men came up, this uproarious young man—his name escapes me now, I know him very well—he was pressing a young white man before him, and the young man expostulated, and he said they cursed each other, and a great deal of violent language was used. But a colored man stepped up to this other colored man who was pushing the white man in front of him and told him to stop, to fall back, and he says, "Who in hell are you, that you tell me to fall back?" and displayed a pistol that he drew half-way from his bosom. A friend of this colored man, he says, pulled his pistol out in full from his pocket, but did not use it. It was grasped by young Mr. Burnett. The fellow had cocked it, but did not use it, as it was grasped by young Mr. Burnett, and in the struggle the pistol exploded, and then he said that he, Mr. Magruder, and Mr. Miles, and others fired their pistols in the air.

The crowd of colored people ran in the direction of the house where we heard they had stored their arms. That was the direction that they would naturally run, as it was in the negro part of the town. As I jumped up and ran out, a ball passed some distance in the air over my head. I did not see a single negro fire myself, but a colored man told me that this one who had drawn out his pistol first ran across the street, ran back of the jail, and fired his pistol back twice as he ran; and that may have been one of those balls that passed over my head.

The crowd were extremely excited, and the gentlemen ran immediately for their guns. I went for mine and got it. I did not go immediately to the telegraph office, but did within a very short time afterwards. The thing got around and the sheriff came down instantly and summoned the whole crowd as his posse; made a sheriff's posse of them immediately.

There was one young man who is very excitable, and he threatened to go towards the end of the town where the negroes had gone, saying that they had stored their guns in the houses there and that they evidently meant difficulty, and that they should be met, and he was in favor of meeting them. He and three or four other young men started,

but Captain Kearney went forward with two or three men and ordered them back on penalty of being shot.

Q. How many persons were shot there on that occasion?—A. There was one very harmless old man shot in the *mêlée*. He had taken no part in it whatever, and it was very much regretted. It was certainly an accidental shot. He was an old man, an extremely inoffensive man.

By Mr. CAMERON:

Q. A colored man?—A. Yes, sir. He was shot, and I heard at the time that three, maybe four or five, were hit, but I don't think the number was as large as that. There were several that were struck about the clothing by spent balls.

By Mr. BAYARD:

Q. To the best of your knowledge and belief, and of your knowledge, (I would rather take that if you have it,) from whom did those shots come that were fired; were they fired exclusively by white people, or by white and colored people both?—A. As I said to you, further than what was told to me by this deputy I do not know. The crowd was between myself and the scene of this difficulty, which was somewhat back; but when I went around to inquire in regard to the difficulty, what I have given you is what was given to me by a colored deputy. I telegraphed that towards evening to General George in answer to an inquiry as to the cause of the difficulty.

Q. How long after that firing in which these persons were more or less injured did you telegraph to General George of this affair?—A. That occurred towards 12 o'clock; I telegraphed towards four or five o'clock.

Q. How long after?—A. About five hours.

WITNESS TELEGRAPHS FOR A HUNDRED MEN.

Q. I suppose it is that that Mr. Stiles desires to correct?—A. But I telegraphed instantly for fifty men from two separate towns. We were very apprehensive at the time from all that we had heard. I consulted one or two gentlemen, and they told me that they thought it was best that we should have more men than we had; that we were greatly outnumbered in the county. The apprehension was so great that they insisted upon my sending a dispatch, and I left some men who were armed and went up to the telegraph-office, and that was the first time I was gone that day—about fifteen minutes.

Q. It was stated by Mr. Stiles, that as soon as this pistol-shot was fired you jumped up and, with your pistol in your hand, you ran right over to the telegraph-office and telegraphed General George that the thing was all over, and quiet was restored.

Mr. MCMILLAN. I think this is what Mr. Stiles testified: that Mr. Vertner, immediately after the events stated, started and went toward the telegraph-office, and, as he supposes, he telegraphed to Mr. George, because a telegraph-dispatch was sent to Mr. George. That is my recollection of Mr. Stiles's testimony.

A. I telegraphed to two or three points—I think it was three points—for fifty men each, and I left the ranks to do that. We had taken our arms and just filed across the street. We did not pursue the colored people at all, and we inquired into the matter, and after learning—I knew nothing of the origin of the difficulty up to that point at all; but after, I think, standing about five minutes with the men—our wires had always been cut previous to that—I suggested to them that out of abundant precaution, I had better telegraph to one or two points and ask some aid.

The wires, usually, in every excitement, had been cut. I think not a single difficulty ever occurred that they had not been cut, and as we feared that they would be cut, I telegraphed to Hazlehurst, to Vicksburg, and perhaps to another village. I did not go to the telegraph-office until some gentleman suggested it to me, and I then conversed with two or three others, and we thought it would be necessary to get them there by night if we could.

Toward evening—I forget whether General George sent a dispatch asking the cause of the difficulty or not, but my present impression is that it was in answer to a dispatch that he sent me that I reported to him after going around and speaking to this colored deputy and the white deputy, who was present, and to several who corroborated them—I spoke to two colored men who had seen this colored man running and firing, and they said that he was there, but that other than that they had never seen any colored men fire.

ABOUT THE ARMS AT ELECTION.

Q. (By Mr. BAYARD.) Did you remain under arms the rest of the day?—A. No, sir; we put our arms up within five minutes after they were taken out, and we went back to the polls. I went back and got my tally-sheet, and quite a crowd of colored people came up. The full history of the origin of the difficulty was not known among a great many of the colored people as among ourselves, and they came back; it seems to have gone abroad how the difficulty occurred and under what circumstances, and the colored people came back in quite a mass up the street: and Mr. Stiles finally went out and told them to disperse, that the election would amount to nothing. Mr. Tom Richardson was another I overheard—I overheard him tell them the same thing.

Q. At the time those people came back was there anything to prevent the quiet continuance of that election for the rest of the day?—A. No, sir; this committee is not more safe than these people would have been if they had desired to cast their votes.

Q. You say that the arms had been put away?—A. Yes, sir; entirely.

COLORED PEOPLE ADVISED TO GO AWAY.

Q. Was there any exhibition of force after, that day?—A. No, sir; none whatever. I went in connection with some gentlemen to a crowd of colored people, two of whom were clients of mine, and there were very kind relations between us, and I asked them if they had voted. Some of them had voted—two or three of them—and others replied that they had not, and I urged them to go and cast their votes; and the leader spoke up with a very dogged reply, "Go home! go away!" and said that he would like to see any of them go back there and vote. He was a man who lives just on the edge of our place, a farmer, and he controls quite a number of hands.

Q. Was he a white man or a colored man?—A. A colored man.

CONSIDERABLE APPREHENSION AMONG THE WHITE PEOPLE.

Q. Were there any other scenes of violence and confusion during the rest of the day?—A. Nothing whatever, sir. There was considerable apprehension among the white people, so much so that we kept out our guards that night.

Q. Did you, during that election, and before this firing and the breaking up of the crowd, see a man named Magruder standing with his back to a number of colored people, throwing his arms back violently so as to strike them in the face, and saying, "It is so hot on my back," or expressions of that kind, to keep them back, and trying to keep them back by striking them in the face?—A. No, sir; I saw nothing of the kind.

Mr. Magruder, I think, was one of the deputies that day, a deputy of Tom Bland, for preserving order. The sheriff had on the ground ten white and ten black deputies.

NO INTIMIDATION OF THE NEGROES AT ELECTION OR BEFORE.

Q. Did you see during that day, or do you know, during that day, of any action of the white people intended to intimidate the negroes and prevent them from freely casting their votes?—A. Nothing that came to my knowledge; not in the least.

Q. I will extend that question through the canvass. Were you aware, during the canvass, of any intended intimidation or any actual intimidation of negroes to prevent them from exercising the elective franchise?—A. No, sir; none whatever. The negroes were treated with the utmost consideration. The only act of intimidation that occurred during the election, that came to my knowledge, was an informal thing, not gotten up by the party around town, but by some gentlemen who, I think, sent a message to Mr. Smith—at least he reported to us that they had done so—Mr. John J. Smith—he reported that he had received a message that he must leave the place.

ONE ACT OF INTIMIDATION, BUT AN INFORMAL THING.

Mr. Smith was a man pretty objectionable to the community. He flaunted his negro mistress in the face of our population in his buggy, and had left his mark upon negro children there, and had grown rich upon us, and of course he was very cordially despised.

Q. Who was he?—A. A carpet-bagger, who came there from Vicksburg and left us with, perhaps, fifty thousand dollars—a rich man. He came there in 1868, under an appointment, I think, then, of the military.

Q. What offices did he hold?—A. He came there from a Vicksburg hotel, where he was insolvent and had gone into bankruptcy, and he held the position of sheriff. Mr. Ferguson had been sheriff and resigned it because it did not pay him, and Mr. Smith was appointed. That was the occasion of his coming to our county. He was then afterward elected to the same office for three terms, one after the other, and he got very rich.

He came up here and did what he could to aid the passage of the banditti resolutions of the legislature. In our town election we succeeded in carrying it, and he came up here to the legislature and succeeded in having our charter amended so as to deprive us of power. Our town weigher had been appointed by the town board, and that he had taken away from us, and endeavored to strip us of every little insignificant privilege and to heap revenge upon us for having carried the town election. Very bitter feelings were entertained toward him, and I shared them myself, to a very large extent, I confess.

But a few young men, without any authority, sent some message to him that he had better leave. There never was such a thing visited upon a negro in the county. He waited upon Captain Kearney—sent for him—I was in with Captain Kearney when the message came, and he went down to talk with Mr. Smith, and Mr. Smith asked his advice. Captain Kearney told him that there was a general state of excitement between the two races, and that he could be of no service one way or the other by remaining there, and that he had better leave the county. He said, "Mr. Smith, while you are perfectly safe here now, if violence does occur, they, looking to you as the father of this bad feeling between this people, they looking upon you as the instigator of it, if any difficulty occurred, naturally you would go by the board;" and after that Mr.

Smith left the county. He returned, however, after that to attend to his business. He was there, I think, about four days after this, and then has been back twice since.

Q. Was he a married man?—A. He has married since, sir; since he left there. He married a lady of Indiana, I believe.

Q. Do you say he lived openly with a black woman there?—A. Yes, sir; and has children by her. I was engaged by her in prosecuting him because he had refused to support one of her children. He had two children by her, and he had settled some land on one of them. But the year had expired within which she could bring her action, and I told her that nothing could be done.

WHY A HORN WAS BLOWN.

Q. After this firing had stopped at the polls do you remember whether a horn was blown as a signal?—A. Yes, sir; that was arranged. I was present at a gathering of gentlemen who represented these guns that were to be placed in this house, and in case of any difficulty that was to have been the signal.

SPEECHES ON ELECTION DAY.

Q. You say the guns were promptly put away?—A. Yes, sir; Colonel Mason made a speech. He was called upon to make a speech, in which the young men were urged to do no act of violence. We feared that anything might bring on a difficulty in the high state of excitement, and we were anxious to avoid it.

Q. Did Dr. Magruder make a speech, and Dr. Riser?—A. Do you mean a public speech?

Q. I mean a public speech.—A. Dr. Magruder is not in the habit of making public speeches.

Q. This was a speech on that day in which Dr. Magruder urged them to kill Stiles.—A. Well, sir, Mr. Stiles and Dr. Magruder had some personal conversation, as Mr. Stiles himself told me; he came to me and stated it and asked me if I thought it was becoming in a man of Dr. Magruder's age—he is a man of seventy-odd years; and Stiles said that he had directed his conversation entirely to him, and told me himself that Dr. Magruder said that he, Stiles, ought to be killed.

Q. Did Dr. Magruder make, to your knowledge, any public speech during that day?—A. No, sir; there was no speech made.

Q. Did Mr. Riser make a speech there?—No, sir; he is a very hot-brained, loud-mouthed man, but I heard him make no speech.

Q. Do you know Captain Walker?—A. Very intimately.

Q. Do you know anything about Captain Walker going to Mr. Riser and stopping him in his speech?—A. I do not know anything about it. Captain Walker is a most excellent gentleman, who lives with us; that is, he has made it his home with us since he was a young man.

Q. Do you remember Col. James S. Mason and others rushing up to Dr. Magruder, and interfering with this alleged speech, and saying that there were democrats there who were ready to protect Mr. Stiles?—A. No, sir; I knew of this matter between Dr. Magruder and Mr. Stiles, as Mr. Stiles stated it to me himself in conversation. The Magruders are all an impulsive set of gentlemen but very good citizens; and I suppose they feed and control about two or three hundred colored people, and are very popular with them.

THE DEMOCRATS ORGANIZED ON THE WHITE-LINE BASIS.

Q. Was there anything said or done there by you and your friends to cause the colored men to go from those polls in case they wanted to stay?—A. Nothing whatever, sir. You asked about an act of violence; if any-

thing else occurred during that day: I perhaps ought to state to you—I did not think of it at the time—that there was an act that might have been violent, from the demonstrations. We had organized our party there upon what we termed a "white line" basis. Although it was not popular in the balance of the State, yet we felt that it was the only hope for us. They were so frightfully corrupt that nothing but an out-and-out white-man's party would possibly have any good effect, and we organized on that basis.

THE GOVERNMENT SPY.

We had a club which was not secret, but whenever gentlemen came up we asked them to enroll, and on one occasion there came a very curious, keen-eyed stranger, and I being president of the club called for the enrollment of all those who had not been enrolled who desired to enroll themselves, and this gentleman requested that we would enroll him. A German who was there vouched for him, and the matter passed off.

He remarked that he belonged to the White Line of Vicksburgh, but I took means to ascertain the falsehood of that, and had my suspicions aroused toward this man. He was a Russian, but had learned our language thoroughly, and reminded me very much of war spies. He attracted considerable attention among a few of us. I thought nothing of it, however, until I saw a dispatch by accident: the telegraph-operator was away, and I was receiving dispatches from General George a day or two before election. He had advised me of the cartel between himself and Mr. Ames, and urged us to be forbearing, and to keep that cartel to the utmost in our county; and we were receiving dispatches from other points.

I went into the telegraph-office to get a dispatch—a gentleman who staid in my office had remarked to me that there was a dispatch for me—and there I saw a dispatch from one General Warner, stating to this Stiles that spies were in Claiborne watching us. I presumed that this man might be one of Ames's spies himself. I noticed the dispatch—it was lying on the top of mine. There were two or three others in cipher, directed to two republicans there from other republicans who were off, and they were addressed in cipher to republicans who were there.

I kept the matter to myself, and watched this stranger. I found in him some other trifling falsehood about some other matter. He pretended to be a juggler, a trickster, and took up his quarters with the German, right opposite where the polls from time immemorial had been held—with a simple-hearted German who kept a tin-shop there, and who had vouched for him.

On the morning of the election I noticed that the windows, which were open before, were covered with tin—the lower part of them with paper; one window covered with paper and the other with tin—so high that a man could not look into that room and see any one.

I noticed him about 5 o'clock in the morning, when a gentleman ran suddenly up with a gun on his shoulder—some young man from the Grand Gulf district—and told me that a body of armed men were marching in on one road, and that they were in a high state of excitement; that fifteen men had deserted them at a point where they were to go to the polls, and there was great excitement in the neighborhood. I told him that we were receiving similar reports of armed men approaching our town, and could not spare any men. This man came out half-dressed and heard the conversation, and asked me where he could get a gun.

In about five minutes I was called upon again, and I walked to the

door. This room where we were staying on the night of the election was just next to the tin-shop. This stranger came up where I was and heard all that was said. He then asked me if there was any excitement. I turned to him and looked him full in the face, and he quailed under it a little. I looked at him for some time before answering him, and he quailed under the look, and I then asked him whether this German was sober; that he was a very silly, foolish fellow, half crazy, and that he might start a difficulty, and that we would be glad if he would keep him sober.

It was reported to me that day that for about two weeks there had been a spy in our democratic club. I remarked to the gentlemen that he was welcome to all that he might gain there. And that was another fact that fixed it that this man was a spy of Mr. Ames, satisfactory to my mind.

That night when he came up to a crowd of gentlemen with whom I was talking, I turned and caught him by the collar, and said, "You dirty dog, to be a spy of the dirty government of Mississippi! You leave this town in ten minutes." He had followed me to such an extent that I had got sick and tired of him. He wheeled without a moment's notice and walked down to his quarters, and he did leave that town; and I know nothing more of that man than that.

After it was over, a crowd of young men then assembled and were very excited over it—that spies should be sent there—and they marched down toward the quarters where he was. I went in front of them, telling them that they should not harm him, for we would have no difficulty with him. One of them was drinking, and I went up to the crowd and begged them to allow me to go down for the purpose of getting the man's notes: during the day I had seen him continually going in and out of this building, and had noticed that he was taking notes. Under that pretext I got them to wait one moment, to give me time, and I went down and urged him to leave at once. I believed that these young men were intoxicated with the excitement of the election, and all that day, and I feared that something might befall him if he did not leave.

THE WHITE-LINER'S ENROLLED AS A SHERIFF'S POSSE.

Q. Was this association of yours a secret one?—A. No, sir.

Q. Nothing of the sort?—A. No, sir.

Q. Were they enrolled as a *posse* by the sheriff on the day of the election?—A. When they came out with the arms. I had and have still in my possession his order making Captain Kearney a deputy, and ordering him to summon these men as a *posse*.

Q. They were acting at that time under the orders of the republican sheriff of the county?—A. That was after we had assembled.

Q. After the firing began and the excitement took place there?—A. Yes, sir; and after they had come out on the street. Then it was that Captain Kearney was made the deputy. They went back and put their arms up, and then it was that Captain Kearney was made deputy. He was captain or lieutenant of this company.

Q. After you came out with the arms, and for the rest of the day, were you on the ground there?—A. All that time until nightfall.

POST-ELECTION SPEECHES.

Q. Could Dr. Magruder have made any public speech, haranguing the multitude, without your knowing it?—A. No, sir.

Q. Did he make such a speech?—A. No, sir; not in my hearing. I was there on the ground all the time, and would have heard it.

Q. Do you remember Dr. Riser making a speech, and calling on the

people to kill this man Stiles, and calling him a son-of-a-bitch, or something of that sort?—A. I did not hear it, sir. Dr. Riser is a very impulsive man, and if Mr. Stiles were to tell me he heard him say it, I would not deem it very much out of the way; he is a cracked-brained sort of a man in his talk. I would not like to be held responsible for all that any one would say on such an occasion.

CHARACTER OF THE WITNESS.

By the CHAIRMAN:

Q. You regard yourself as one of the most careful and considerate men in your place in public affairs?—A. I think I am, sir.

ABOUT MAGRUDER'S SPEECH.

Q. How many persons were there present on election-day when there were the most there?—A. I should judge that at one time they numbered about four hundred and-odd men, merely judging, however, from those who had voted and the crowd that stood off that had not voted; that was when those re-enforcements were there.

Q. When was that—before the firing or after it?—A. Before the firing.

Q. That was only a short time before the shots were fired?—A. The firing occurred within five minutes after those two companies of negroes came up from opposite directions.

Q. You made what some people might call a speech, perhaps, when those young men were intending to go after this spy, or whatever he was; you demanded of them to desist?—A. There were only five in the crowd; two of them were young men that would not be a pride to any community—they were drunkards.

Q. If anybody should say you made a speech to these young men you would not think that it was very much of an exaggeration?—A. According to the object that they had in saying it.

Q. From what Mr. Stiles said it didn't seem to me anything more than that—I did not understand him to state that Mr. Magruder had made a public speech—in the course of the remarks that were made Mr. Magruder made such and such remarks to the people around him. Might that not have been so, and you not have heard it in that crowd during that day?—A. Yes, sir.

Mr. BAYARD. It is as distinct as anything in my mind that Mr. Stiles said that Mr. Magruder got up and made an excited speech, in which he called on the crowd to kill that man, and was called upon by Mr. Mason and others to stop.

The WITNESS. Mr. Stiles was as safe there as in any community on the face of the globe.

WITNESS'S OPINION OF MR. STILES.

Q. (By the CHAIRMAN.) How is Mr. Stiles regarded there among the people?—A. If you ask me that I must answer it. He was debauched by Mr. Josh. Morris; he came out of the army after having made a very bad soldier, and having run in one engagement. He, therefore, fell under the ban of the public. I was not in the army myself. I was opposed to slavery and moved to a free State after I had finished my education at the college of Princeton, New Jersey. I came back at the instance of my mother, who was in very delicate health. She and my sister were in California; and although I was in sympathy with my own State, and made some effort to get back here myself, I had an invalid mother in California, and we remained in California during the war. When I got back to Mississippi that was the standing of this young man you speak of, and he fell a very easy prey to that thing.

Q. Does he enjoy the confidence of the people as a man of integrity?—A. He does not enjoy the confidence of my people to the least iota. We feel kindly toward him, however; we have not felt otherwise than that. His affiliation with the negroes, with the lowest characters, and his reported affiliation with colored wenches, and all that sort of thing, has not given him a very good standing among the gentlemen of my community. I have seen him in association with men—he seemed to think it was necessary to associate with every low negro, and placed himself on a level with the lowest; he did that continually; and his associations among white men were also of the very lowest character in his party.

NO GENTLEMEN TO REPRESENT THE REPUBLICAN PARTY.

We have never yet had a gentleman to represent the republican party in my county. It has been the men who have gone to the dogs that have usually gone into the republican party. That has been the history of that party there.

Q. Is it not true that all men who act with the republican party, that party being composed mostly of negroes, are in great disfavor with your people?—A. Of those who act with that party there it is true—those who would come here and act with the negro party and foist them upon us for no other purpose than to seize the offices here, which they did, and squandered the county's money, and raised the taxes to an outrageous extent. As an instance of that, on a little piece of property which belongs to us the taxes were increased from $28 to $135, its value having decreased all the time. It was very natural that we should have this feeling toward these people.

TWO ARMY OFFICERS WHO ENJOY SOCIAL FAVORS.

Q. Has there been any person in the republican party in your section of the country, whether native-born, or a man from the North, who has enjoyed the favor of the men with whom you are associated?—A. There are two there, Captain De Courcy and Lieutenant Chance, of the United States Army. The latter is an avowed republican, and his family are too. They are estimable people, and he is a gentleman from the heel of his foot to the crown of his head. He is invited to our houses freely, and no man could be more highly respected. But he does look down upon that class of people, and he begs us not to consider him as an affiliator with such people as come here, and by the influence which they exert upon the ignorant negro run us into ruin for the sake of their own personal aggrandizement. Captain De Courcy is also invited everywhere freely by us. I gave him a supper, and it was commented upon; but I did it from no policy, for he was a gentleman.

Q. Both of those persons you speak of are officers in the Army?—A. Yes, sir.

Q. They take no part in politics as partisans?—A. Except to take their side of the question.

Q. They simply express their views when talking with you or other gentlemen?—A. Yes, sir.

SINISTER MOTIVES ATTRIBUTED TO PARTISAN REPUCLICANS.

Q. They take no part in the politics of the country?—A. No, sir; but if all of a sudden they should abandon the Army and take part in the politics of Mississippi, we would consider there was a sinister motive. This prejudice does not arise out of the fact that they are republicans at all, but it arises out of the fact that they have fastened themselves upon us to govern these poor ignorant creatures that are totally dependent upon us, and who were perfectly safe in our

hands, and who would vote with us but for that, and who are perfectly friendly with us. We have no object antagonistic to their interest, except we do not believe in foisting men utterly ignorant into office.

There was one intelligent colored man that was on our ticket, in whom we have taken great interest, and we have tried to have a ticket in which those of the better class of colored people would be interested with ourselves. I was a free-soiler, and I was opposed to slavery. My grandfather was a slaveholder, and left me property in slaves, and I could have owned them; but I freed them of my own accord, and I went to a free State. I have no prejudice against them whatever.

Q. You were speaking of one colored man that the democrats had great interest in.—A. Yes, sir; we put him on our ticket.

A DEMOCRATIC NEGRO OSTRACIZED BY HIS PEOPLE.

Q. What happened to him?—A. He was ostracized to such an extent that he got back among the negroes in a hurry. I tell you that it was positively dangerous for any negro to pronounce himself a democrat in my county. The intimidation is totally the other way; many and many a negro would have joined with us long since but for that fact. I have five or six negroes on a plantation that I venture to say will vote side by side with me always, because they are released from that intimidation that formerly existed. In other words, they have been taught that when they raise a storm they will suffer the consequences of it, and that they cannot cope with a white man in such a case. They are dependent upon me for every morsel they eat.

Q. That is pretty well understood, that they are so dependent, is it not?—A. Yes, sir; but I furnished them everything when they were voting the radical ticket. I have been furnishing them mules, and I have bought and paid for them out of my own money.

Q. You are to enjoy a share of the crops, I suppose?—A. No, sir; not at all; they were merely to pay me for the mules. I do not even charge them any profit upon the goods I get them. They were all old servants, all my own hands. I have lost money by them every year. I merely charge them interest upon the money.

Q. How is it that your servants have learned this lesson, that if they raise a storm they would suffer from it?—A. From the intimidation that existed on the part of their own race toward them.

HOW THE NEGROES HAVE BEEN RELIEVED FROM INTIMIDATION.

Q. How have they been relieved from that intimidation.?—A. They have been relieved from it recently in Wilkinson County, where the negroes attacked the white men and raised a storm over their own heads. They have been relieved from that in our county, because in their various movements toward us and aggressions, by this arming of four or five negroes one Sunday evening and marching over the graves of our parents, and similar cases, they have aroused at last our own feelings, and we are determined to protect ourselves; and these people have got some confidence in us, that we are not going to allow them to be intimidated.

Q. What do they understand would be done in case you felt yourself called upon to move against these negroes who intimidated this minority?—A. If met with personal violence they expect protection at our hands. They have been threatened with that, and they expect protection, and would get it.

WHY THE WHITE PEOPLE ORGANIZED BEFORE ELECTION.

Q. What led to the organization and assembling of the white people of Port Gibson on Saturday, the last day but one of October?—A. It arose

out of the apprehension of the people that, owing to all these excitements that existed prior to that, our people in town were at the mercy of a large horde of barbarians that wanted to get control. The sheriff, a colored man himself, said he had lost control over them. We had always been quiet before, but owing to this excitement the apprehension was very great indeed that we would have trouble, and for self-protection we urged our men to come into town, but urged them to be under the strictest discipline, and to be guilty of no act of violence.

Q. But as a matter of fact there was a difficulty, which you have called a collision, between your procession and the colored procession?—A. Yes, sir; only what I have already stated.

Q. You have said that there was a collision?—A. I cannot call it a collision further than I have stated, that one of our young men, after having been called a son of a bitch, struck the man who called him so.

WERE THE NEGROES ARMED?

Q. As a matter of fact, were the participants in that negro procession armed to any extent that day?—A. I saw some with side-arms, but to what extent I could not say.

Q. They had no muskets or guns visible?—A. No, sir; nor did we ours until these five negroes brought out theirs, as Captain Kearney told me.

NECESSITY OF WHITE INTERVENTION FOR SELF-PROTECTION.

Q. I want to ask you, in all soberness, if it is not your opinion to-day that if you had abstained from any participation in that parade in your village on the last Saturday of October, and had allowed the negroes to march through the street and go to the ground where their barbecue was, and have their dinner and listen to their speeches, the whole matter would have passed off without any danger or injury to any person in the place?—A. No, sir. I conscientiously, and with the fear of God and my solemn oath, tell you that I do not think it; that I was instrumental in getting up the force to come to that town for no other purpose than self-protection.

Q. I was not asking you your purpose. Do you not think that if you had left the whole thing to them the thing would have passed off without any trouble?—A. No, sir.

Q. What foundation do you rely upon for the opinion you have expressed?—A. We would have been subjected to insult during that parade, as we had always been on such occasions in the past. There were very many bad, boisterous negroes who generally led them, while our boisterous people did not generally lead us; and they would have come back into town, and I think would have been overbearing toward people on the streets, and it would have brought about a difficulty in which we would not have had a fair showing.

Q. Where were your guns that day?—A. At our homes; nowhere else.

NUMBER OF WHITE FIGHTING-MEN ON PARADE.

Q. How large an assemblage did you have out that day of fighting-men capable of bearing arms?—A. We had, as I have stated, in the neighborhood of three hundred. I didn't count them. I merely judged that from the fact that there was a less crowd than we had had at our big parade. We had one large parade on horseback, and this was a less crowd than that. I do not think there were over three hundred mounted men, and then in addition to that there were fifty-odd footmen.

Q. Were not those people all armed with side-arms?—A. No, sir.

Q. Were they not generally so armed?—A. I expect a majority of them were.

Q. How was it with yourself?—A. I had a pistol. After it was reported that these negroes had brought these five guns out, there were eight or ten—not more than that, a very small number, they had guns at different points—went to get their guns, and they came back, and I went forward and urged them to put them up—the others we heard had been replaced—and they did so with the exception of two or three. One of them complained that the negroes had side-arms, and that he had nothing himself except his gun; that he was going to keep that; that they meant to have a difficulty from their actions, and that he proposed to keep it. I offered him my own pistol, and he put his gun up. But another, subsequently, who had no gun, got a gun, and there were three guns that were carried for the rest of the day, but only three muskets that were on the ground at the barbecue.

Q. If it had not been for your expostulations and those of Mr. Mason and some others, what do you think might have happened that day?—A. If those, united to the expostulations of the colored men among their own people, had not prevailed, there might have been a collision; but the first blow, the first aggressive movement, would have come from the larger crowd. Our people were much fewer in numbers than the negroes. They had about three to one of us, and we were, in common language, pretty much at their mercy. We had never yearned for a difficulty; we had tried to avoid it. They were also preaching and expostulating with their own men. This expostulation on our part that I spoke of was nothing more than an appeal to those men who brought those guns out.

THE BARBACUE GROUNDS.

Q. Where were the grounds on which the barbecue was held; how far away situated, with reference to the village?—A. I do not suppose it was more than from a quarter to a half of a mile out from the village.

Q. How far were the grounds from the nearest residence of a white person?—A. It was on the ground of a white gentleman, a Mr. Wise, a democrat.

Q. How far was his house from the ground?—A. It was rented to some tenants who were working-people—Englishmen, I think. That was about a quarter of a mile up the hill, and the white citizens were living on the edge of the town, scattered around.

Q. So it was from a quarter to a half mile from any large number of residences of white persons?—A. Yes, sir.

Q. Your force went over to the grounds?—A. Yes, sir.

Q. What led you to go there?—A. As I stated, it was for the purpose of hearing these speeches that would be made. They had attended our barbecues, but we had never attended but three of their barbecues to my knowledge. I attended one of them—two of them; this one and another.

Q. Was it to be a joint debate?—A. No, sir.

WITNESS'S OPINION OF THE REPUBLICAN SPEAKERS.

Q. Who was to speak?—A. This Dr. Sprott.

Q. Is he a citizen of Port Gibson?—A. He is a citizen of Port Gibson; a very bad man; a man whom we regard as a perjurer.

Q. He was one of the speakers?—A. Yes, sir; he was to have been one of them.

Q. Who else was to speak?—A. Mr. Montgomery, Mr. Unger, and a man named Bridewell—so we heard.

Q. Who is Mr. Unger?—A. At the time he first accepted office under the radicals he was about 18 or 19 years old. He is older than that

now. He is a very bad character, a character you would not associate with.

Q. Who is Mr. Montgomery?—A. A man for whose lowness of character I have no words to express; a man who ought to be in the penitentiary to-day; a man who goes abroad and draws drafts where he has no credit, nor funds to pay his bills, to get his horse out. These facts are notorious. He is a young man without any character on earth, an idle vagabond who does not work, but who went over to the radical party, as he told me out of his own lips, to receive office; and I taxed him that he had done so at a radical meeting, and he dared not deny it.

Q. Who is Bridewell?—A. It is notorious that he is living with a colored whore in the county.

Q. When did it first become public that he lived with this woman?—A. Long before he went over to the radical party; and she left him before he went over, I think.

Q. Any other speakers at that meeting?—A. I don't recollect any other.

Q. Do you mean to have this committee understand that you—in the position of a gentleman occupying a high place in the community, and associating with the best people there, and having around you three hundred of these white men—went there to this barbecue to hear four men whom you have described: Sprott, a forger; Mr. Unger, a man whom you have described as a very bad character; Mr. Montgomery, a man so low that you cannot find words to express your feelings and opinions in regard to him; and Mr. Bridewell, a man living in open adultery with a black woman of well-known ill-fame—that the reason of your going to that place was to hear those four men?—A. It was reported to us that they were making speeches of a most inflammatory character. This man Patterson, who was another one of the speakers who were to speak on that occasion, took his pistol out and laid it before him, in a speech which he made very early in the campaign. This man Sprott was reported to us as making incendiary speeches, and in one instance as having a Winchester rifle by him on the platform when he was speaking; and we determined to go and hear for ourselves.

POSITION OF THE WHITE FORCE AT THE BARBACUE.

Q. What position did your force take when they got upon the ground?—A. They were drawn off in separate companies—these various clubs—and were placed in charge of the presidents of their clubs, except in the instance of mine. Captain Kearney was the leader of our town club, at my suggestion. They were kept under control completely. However frightened the darkies may have been, I don't profess to answer for that, or however frightened those white-livered men among them may have been.

WHITE-LINERS PROPOSE TO ATTEND BARBACUE IF IT FRIGHTENS DARKIES.

Q. You think that this presentation of force on your part might have frightened the darkies and the white-livered men?—A. It might have done so; I don't undertake to answer for that. If it does, we propose to attend their barbecues.

Q. That is to say, the same general course of proceeding may be expected in the future?—A. Yes, sir; if they pursue that same course we expect to pursue the same course. Wherever a public meeting is announced we shall exercise the privilege of an American citizen in attending.

Q. To what extent did the men who were organized and armed in

clubs in Port Gibson go over the county during the canvass?—A. Do you mean armed?

ABOUT ARMED MEN RIDING OVER THE COUNTRY.

Q. Yes, sir; riding over the county in the night-time or day-time.—A. I don't know of any men who went over the county armed at all, except on the night of the election. As I have just stated to you, the whole county was in great trepidation, and the white people were expecting to be attacked, and they were very fearful because of the great excitement existing on account of this parade. I heard of the Peytona club as having a guard out in anticipation of an attack from the blacks, and they got together and remained out, I think about forty or fifty of them, until morning, but they didn't take their guns to the polls, though.

Q. Did you take part in an expedition that on one occasion called up a man named Page, who was in bed, at night?—A. No, sir; I know exactly how that occurred. A rumor was brought to us by a young man that, as he passed by Page's house, the negroes were met there, and that there was considerable excitement among them.

Q. About what time was that with reference to the election?—A. I think it was two days before the election, if I mistake not. I would not undertake to give the exact date, but it was within a very few days of the election.

Q. Were you as much alarmed in the village at that time as ever?—A. We suffered a great deal of apprehension there in the village on several occasions before the election during the excitement. I know of no such instance except this one you speak of, and the one in which we went out to meet the band. In this case, Captain Kearney was sent for when this young man came in and reported a considerable excitement at Page's. It was some time before he was gotten, and he sent out to ascertain the facts. They got there rather late, and found nothing of the men. They woke up Page and had a talk with him, and came off.

Q. Did not find any bands of negroes in hostile array?—A. No, sir; there had been negroes there, but they had gone off.

Q. As a matter of fact, did you ever find that any of these rumors, with the exception of the expedition on Sunday, that you have given us some account of, where there was a band of music, were true; have you ever found any assembly of negroes?—A. The Grand Gulf negroes, as a notorious fact, carried their arms, and 15 of them were seen by a friend of mine, who, I think, is as truthful a man as lives, marching along the road to the polls with their guns; and he stated to me that there were 15 men in his neighborhood—the Big Black—who were so frightened that they did not go to the polls; I know, as a fact, that many of them living in that section didn't; and, upon inquiry, I found it was owing to the excited condition of the negroes around there. These negroes were seen to go to the polls, and they stacked their guns in a house; one of these Page boys ran down suddenly and gave some message to them, and they ran to this house and came out with these arms, and the white men then armed themselves, and there was considerable excitement; which, however, soon was allayed.

POSSIBLE RESULTS IF THERE HAD BEEN NO DISTURBANCE.

Q. I do not ask you now who is responsible for these disturbances, but if there had been no disturbances and every man had gone to the polls and voted that day, how different would the result have been from what it was?—A. Well, I cannot undertake to say, for the reason that the negroes on the various plantations were announcing themselves

to those who employed them as ready to vote the democratic ticket. There were whole families that had so announced their intention to me four or five days before the election, and one of them a considerable time betore that—there was a very large family of them; there were five or six men in their family. I had befriended their father, who was charged with some crime that would have sent him to the penitentiary if he had been convicted, and I defended him without charge, and was at some expense: he was an old man I had known very well; I heard he was not guilty, and he said he was not—came to me before the election and told me that he and his sons proposed to vote the democratic ticket; that they had thought over the matter and that they could see no good in supporting these foreigners in office, and that they proposed not to do it.

We had one colored man, (a mulatto, named John Wooley,) who is a splendid fellow, and who, I think, would compare most favorably with almost any man; he has affiliated with the democratic party since its first organization after the war. He said there was a considerable number in his neighborhood who would vote the democratic ticket.

Mr. Magruder, who controls some three hundred negroes, said that a large number of his people would vote the democratic ticket; they had a club on his place called the colored democratic club.

A gentleman asked me to make a speech to the colored people, and I told him I was sick of addressing the negroes, and that I was determined never to make an appeal to the negroes in this condition of things; that they would raise the "bloody shirt" and the past, and it was no use trying. Owing to these facts and the assurance of my own people, I believe that the majority of negroes to-day would vote with us in Claiborne, as I believe I am a living man, if it were not for the representations to them that we are hostile to their interest and would put them back. They are ignorant, and believe that we would pass such laws that they would be worse off than in slavery; and some of them are so ignorant that they even believe that we would put them back into slavery. But, if it were not for their fears, which are operated upon by such men as I have described, who are anxious to get places, I believe that they would vote with us, and that there would not be a ripple on the political surface.

Q. How many votes were cast at your poll?—A. I really have forgotten the number.

PROBABLE NUMBER WHO DID NOT VOTE.

Q. How many persons were there who might most probably have voted at that time, who did not vote?—A. As near as I can estimate it, there must have been at least two hundred there. I am only giving you an estimate; I have no data to go upon except merely my eyesight, as to the crowd.

Q. Two hundred who did not vote?—A. There may have been something over that, but I reckon it was about that number. They came back after leaving and undoubtedly would have gone on with their voting, but they were approached by Mr. Stiles and Mr. Tom Richardson, a colored man, and others, who said to them, "Go back, men! Don't you vote!" They could have voted with perfect quietude if they had chosen. Three of them did vote; I kept the tally-sheet, and three colored republicans came up and voted after that, and others were urged to come and vote. The difficulty was a matter to be regretted, a matter of accident such as might occur anywhere, not intentional at all, and the death of the colored man was purely accidental.

ABOUT MR. STILES AGAIN.

By Mr. McMILLAN:

Q. It is your opinion that they would have been permitted to vote?—A. O, yes, sir; undoubtedly it is my opinion, and I think unquestionably that no harm would have befallen them.

Q. Is not Mr. E. H. Stiles regarded by the majority of the citizens of Claiborne County as an honest and honorable man?—A. By the white men?

Q. I will just put that question to you: Is he not regarded as an honest and honorable man by the majority of the white citizens of Claiborne County?—A. I answer emphatically, no! I will give myself as one that don't regard him as such. It is a very personal answer; I am called upon to state it, but I am loath to answer it.

Q. Was he the prosecuting attorney of that district?—A. Yes, sir; and he made a very good one, too; a much better one than the democrats have elected.

Q. Was he not, in your judgment, an honest, capable officer?—A. Of my own personal knowledge I know nothing reflecting upon his administration as district attorney, except his constant leaning toward republicans whenever they were involved in their rascalities; I never could get an indictment against them before the grand juries that he controlled. With that exception, I regarded him as a very capable officer, much more capable than the democrat that has been elected, for that matter.

Q. Did he not discharge his duties impartially while district attorney, and prosecute malefactors without regard to party affiliations?—A. I said, sir, that so far as the administration of his office as district attorney was concerned I know nothing against it except the mere fact that I could not get indictments against certain parties, these radicals, before the colored grand juries, and he controlled the grand juries. Otherwise than that I know nothing.

Q. Did he not prosecute malefactors without regard to party affiliation?—A. He did, sir; in my county assuredly. I have heard complaints in other counties.

Q. Did not the people of Claiborne County, without regard to party, have confidence in his integrity as an officer and man?—A. As a man, not as much as you could put in a thimble.

Q. As an officer?—A. No, sir; Chief-Justice Peyton tells me that he is a man of great duplicity.

Q. I am not speaking of Chief-Justice Peyton's opinion: have not the people of Claiborne County, without regard to party, faith in his integrity as an officer and as a man?—A. As an officer, as far as Claiborne County is concerned, I think that he did discharge his duties. As to his integrity as a man, we have no faith there, sir—the majority of the people of Claiborne County. They have kind feelings, though, for the young man, and think that he made a great error.

STILES TURNED HIS BACK ON HIS PEOPLE.

They have no faith in the honor of any man who could turn his back upon his people with his record, and go over to the radical party for the sake of getting office.

We do not honor him, because of his affiliation with these negroes; we do not honor him, because of his duplicity. He led some of my friends to believe that he was not even coming here to testify.

I am giving you now the impression of the people in regard to these things; not my own individual impression merely, but what I have gath-

ered from the general public in regard to this man. They feel kindly disposed toward him; they pity him; he was young when he made those errors, and we certainly regret it, but we have no respect for the man as a man at all; not only because of his pretending to be a great friend of the negroes merely to accept office and get it, but because of his public and notorious intercourse with those people, and his affiliation with the lowest of negroes, as well as the lowest of white radicals, and all of that; and we believe that a man like that gets tainted, and we haven't that confidence you suggest in him as a man.

Q. You have referred to Mr. Stiles's duplicity in reference to his coming before this committee; do you know that Mr. Stiles first learned of the presence of this committee in this place when he was in Vicksburg on business?—A. I heard that a gentleman by the name of Redpath had telegraphed him from Washington City to be here; I heard that he had a dispatch to be here long beforehand. Mr. Stiles was out in the country taking some testimony about the time you gentlemen came down; somewhere, I don't know where, but I think at Vicksburg.

Q. Then there may have been no duplicity there?—A. I know nothing about that; I was only told that he was leaving the impression up in Claiborne County that he did not wish to come here to state so and so, and yet he is here as a willing witness to state facts that are not facts.

Q. Do you not know that he was subpœnaed before this committee?—A. I heard so, sir.

Q. Do you know what Mr. Stiles has testified to before this committee?—A. I know something of it, sir; you asked me questions based upon it.

Q. Did you hear his testimony?—A. No, sir.

Q. Did you hear it read?—A. No, sir; I have not heard it read.

WHY WITNESS WOULD HAVE SHOT ANY NEGRO WITH THE IMPRESSION HE HAD WHEN HE STARTED.

Q. Mr. Vertner, when you left the polls on the day of the election did you run toward the telegraph-office with a pistol in your hand?—A. I ran in that direction, but I did not go there immediately; I went there about four or five minutes afterward.

Q. Did you fire your pistol that morning?—A. When I jumped up I fired it off.

Q. Why did you do that?—A. Because I was under the impression from what we heard that the negroes were going to a certain place where they had their arms stored, and I don't hesitate to say that had I been present in that crowd, with the impression I had when I started, I would have shot any negro that I met going that way.

Q. Were you armed with a gun on the day of the election?—A. Yes, sir; I brought my gun out as did the others after that occurrence.

Q. Were the arms in the town collected the evening prior to the election and deposited in the Odd-Fellows' hall?—A. I would not say whether they were or not. They were, however, stored in a building on the public street, a store that was not occupied. They were stored there in case they might be needed.

ABOUT THE CANNON AT THE ELECTION.

Q. Do you or do you not know whether the democrats had a cannon on the day of the election?—A. I think that had been sent off; they had it during the campaign, but I think it had been sent off before the election. It may have been there, though, for aught I know.

Q. And loaded with buck-shot?—A. I know of no such fact at all.

WHITE REPUBLICANS AT THE POLLS.

Q. Was Mr. Stiles the only known and avowed white republican at the polls in Port Gibson during the day of election?—A. Well, sir, there was another man voted who was called a republican.

Q. An avowed, and known as a prominent, republican?—A. It was Mr. McCready. He is a storekeeper; but I don't think that he mixes very generally with them, so that he might not deserve the appellation. He is a recent comer from Indiana or somewhere. He is after negro custom, and affiliates with them.

Q. Was Mr. Stiles armed or not?—A. I could not undertake to say, but he goes armed always.

Q. On that day, I ask you whether he was armed or not?—A. I could not undertake to say.

Q. You saw no arms on him on that day?—A. No, sir; I saw none, and he could not have seen mine unless I had drawn it.

NO REPUBLICAN NEGROES EXHIBIT ARMS.

Q. Did you see any republican negroes exhibiting any arms on the day of the election?—A. No, sir; I don't think I saw any arms exhibited. A gentleman told me that he saw them with pistols, and this company that came up I was told all had clubs when they first came in the town. They were put away soon afterward, and they didn't have them when I saw them. Other gentlemen said that they saw them with side-arms.

ABOUT STILES AGAIN.

Q. Do you know of any proposition to interfere with Mr. Stiles, and did you hear any prominent democrat say that if Mr. Stiles was compelled to leave he would leave with him?—A. No, sir; I know that our people never meditated any violence toward Mr. Stiles. We have regarded him as a weak brother, and although he affiliates with the negroes, he has not controlled them to any extent. Mr. Stiles is kindly thought of by the people, while he is not respected. I bear him no ill-will myself, but I have no respect for him, I am free to say to you.

Q. Did you not, when Mr. Stiles arose to address the meeting, cry out, "Where is that committee?"—A. I don't recollect any such speech as that.

Q. Well, anything of that character, substantially?—A. I recollect nothing of that kind, but I recollect just about the time they were speaking—I don't think Mr. Stiles had spoken at the time—of my saying something out loud, but nothing of a violent nature at all, for I had never meditated it; but I recollect—just on my mind there is something, but I don't really remember it. If the circumstances were brought to me, and my mind refreshed, I might perhaps remember what I said. I know nothing of any statement of a violent nature.

HOW STILES RAN IN BATTLE.

By Mr. CAMERON:

Q. For what length of time was Stiles in the confederate army, as you understand?—A. As I understand it, he was in the army about three years. I state this from reputation, sir; I was not there myself.

Q. You have stated that in one battle he did not behave well.—A. That is what I heard; that he ran. It was talked about generally after the war, in 1866.

WHY WITNESS DID NOT ENLIST AT ALL.

Q. At the commencement of the war you went North and remained North until the war was over?—A. Some two or three years prior to

the war I went to California and selected it as a home, and left my mother and sister out there, and eventually persuaded my brother to go there and make a visit and see how he would like California; and it was about the time he came out that the war broke out. I left there and came East for the purpose of going South myself and attending to the settlement of some property. My mother desired that I should return, and in case any of us had to go that he should. After remaining East some time, and not being able to settle up matters as I wanted to, I returned to California.

WITNESS DEFINES WHAT HE MEANS BY HIS COUNTRY.

I sympathized very deeply with my country, and I would have thrown my lot with her, although my feelings were opposed to slavery——

Q. By your country you mean the Southern States?—A. Yes, sir.

LARGE ARMED BODIES REALLY NECESSARY TO ENABLE DEMOCRATS TO HEAR REPUBLICAN SPEECHES.

Q. You have stated that you and the 300 or 350 men, democrats, who attended the republican barbecue on the day that you have mentioned at Port Gibson had heard that the republican speakers were making violent and incendiary speeches, and you went out there for the purpose of hearing what they said?—A. Yes, sir.

Q. Now, was it really necessary, in order to ascertain what they said that 350 men, armed as you have stated, should go out there to hear them?—A. I didn't state that all of them were armed.

Q. No; not all of them, but some of them. What I want to get at is whether you could not have ascertained what those speakers would say without so many of you going out upon the ground to hear them?—A. No, sir; for this reason, that our people were in that condition that they just felt afraid to move except in respectable bodies, and we would not have gotten it from their own men; and we therefore went in that way. They would not subject themselves to be overawed as a few men would be in such a meeting.

Q. If a committee of, say a dozen competent and discreet gentlemen, like yourself, had gone out there and listened to these speeches, do you not think that that armed force would have taken your report of the character of the speeches made?—A. Very true, sir; but I would not have gone in that way.

Q. The only way, then, that you would go would be in a large body of armed men?—A. I didn't state that; all of them were not armed; I didn't state that they were armed; I stated that I saw some armed that I knew, and that some others were not armed. I saw arms on them on the day of the parade.

Q. You have stated that your object in going out there was for the purpose of ascertaining what they said?—A. Yes, sir; that was our object in going.

Q. Could you not have ascertained what they would say without going out in so large a body?—A. I don't think that I could, sir. We could not have gotten the men that would have gone; they would have been subjected to so much that was disagreeable, and sometimes these things bring on personal collisions, and those matters would have become instantly a race issue; and if one of these negroes had insulted one of those men, then there would be difficulty, and we proposed to place ourselves in no such position. There was an excitable state of feeling, and the negroes had expressed themselves that we were in their power.

Q. You say you could not have ascertained without going out in so large a body?—A. It is possible that it could have been done, but I could not have gotten the men to have gone there of our class.

DEMOCRATIC PARTY ORGANIZED ON THE WHITE-LINE POLICY.

Q. You have stated that in Claiborne County the democratic party was organized strictly on a white-line policy?—A. That is, that we would not vote for negroes for office.

STRANGE TO SAY IT ELECTS A NEGRO TO OFFICE.

Q. Do you remember whether or not it was so stated in the constitution of your club?—A. Yes, sir; strictly so. I think it was the primary object of the Claiborne County club, although, strange to say, there was a negro who has always affiliated with the democratic party, and a very respectable man, elected to office in his beat by one of the clubs organized under that policy.

ABOUT STILES AND HIS TESTIMONY.

By Mr. BAYARD:

Q. You were asked as to whether you had heard Mr. Stiles's testimony, which, of course, it would have been impossible for you to have done; but had you a conversation with him since you arrived here on the subject of his testimony here?—A. Yes, sir.

Q. Did he state to you substantially what he had testified, or anything like it, previous to your testifying?—A. Yes, sir; he suggested to me to read over his testimony.

Q. You have been called upon to state your opinion of this man, Stiles; I will ask you whether it has been done by you with regret or not?—A. With great regret; I stated that my relations toward him are those of kind feeling. I have no respect for him, I am free to confess.

HIS RECORD HAS BEEN CLEAR AS AN OFFICER.

He has conducted his office in Claiborne County, so far as I know, without any reproach. The only reproach I have is that my efforts to bring those scoundrels and thieves to justice for things that they had done in direct violation of law were without avail, and I charge that upon him; but I may be wrong in that. In Claiborne County, as far as I know, his record has been clean as an officer; but as a gentleman and as a man of honor and standing, I could not say that. He does not have the good opinion of the majority of the white people of my county. As to the black people, it is a good badge when a man has these vices.

JOHN T. HARRINGTON—CLAY COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

JOHN T. HARRINGTON sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. What is your full name?—Answer. John T. Harrington.

Q. Where do you reside?—A. In Clay County.

Q. At what place in Clay County do you live?—A. In the country, about 25 miles west of West Point.

Q. What is your profession or pursuit?—A. I am a practicing physician.

Q. How long have you been a practicing physician?—A. Thirty years.

Q. Where has been your residence during that time?—A. In Mississippi all the time, in this county and adjoining counties.

Q. Are you a native of the State?—A. No, sir; a native of South Carolina.

Q. How long have you lived here?—A. Forty years.

WHY HE STOPPED HIS CANVASS.

Q. Where were you last autumn during the canvass?—A. In the main part of the canvass I was county superintendent, and was in the discharge of my official duties generally at West Point, and I went around to other parts of the county when the canvass commenced. I was superintendent of education. After the canvass commenced it soon became very hot on the democratic side, and throughout West Point. We had no republicans who could meet them in debate, and they challenged us to send out speakers. They sent so many requests to me that I did tell them that I would go and meet them in debate, and I debated with them until I was advised by my brother, who was chancery clerk—he informed me that I had better desist from going to the debates, that my life was threatened, and I could not live to go to the debate that day.

Q. Did your brother give you any evidence for his opinion, or any fact in support of it?—A. Yes, sir; at a certain meeting of the democratic party where I was to meet them, where I would have met them, my brother let me know that they were there in arms, a number of armed men, and that they were making threats, and that when I went there he thought they would kill me, and that I had better not go.

YOUNG MEN THREATEN HIM.

Q. Were there any disturbances at any meetings you did attend?—A. At the republican meetings there were not any disturbances, nor at the meetings at which we debated. They had a democratic meeting at West Point on Thursday prior to election, at which there were some disturbances, and at which there was some shooting, and one or two men wounded, but I did not see it. I heard the guns. I did not see it myself.

Q. Were you there?—A. I was in West Point, but did not go to it. I was there, but did not go where they were shooting. That was a democratic meeting at which they had fighting. In the evening they had quite a dispute in regard to the law as to a point of legislation, and I was down at the hotel and consulted the district attorney, Major Whitfield. He was district attorney. He advised as to the law, and I went down to see him, and he sent me up to my office to get some law-books among others. And on the way three young men from West Point were waylaying me, I thought; at least, I went up on the opposite side of the street. I could not tell them at a distance. I have ophthalmia, and cannot tell one man from another if he is very far off. I saw these three young men suddenly turn and walk up, say 100 feet across the street; at least that is the width of the street. I do not know how far exactly they walked. I wanted to have nothing to say to them, because there is a good deal of ill-feeling, and I passed on. I went on the street, and the three young men hallooed "Halt!" as they came close to me. The first stopped about the middle of the street; the second came about two-thirds or three-quarters across the street, and the other one came close to me and says, "Do you go to your hole and do you stay there. Do you go to Hamp Harrington's." "Go to your hole and stay there." That was what they said first. "And if you come upon these streets any more, it will be at your expense." Shall I tell what succeeded?

The CHAIRMAN. Yes, sir.

The WITNESS. As I before said, I was superintendent of education, and the next morning I was to meet Judge Bradshaw, and we were to discuss this point of dispute before the board of registration. Well, I was now for-

bidden to go upon the streets, and I went out with great hesitation, but I thought I would make the venture the next morning. So I went the next morning at 8 o'clock, and before I got there a negro, who was circuit clerk of our county, came running to me with tears on his face and says, "There is going to be bloodshed; innocent blood. I know you have done no harm." I said, "What is it about?" but he would not tell me anything about it. He came from a meeting of democrats; the same place where they had waylaid me the day before. I went in the office of the supervisor of registration, and as soon as I went in there the clerk said to me, said he, "I do not think it is safe for you to be here." He would not indicate anything, and that was all he said. I then went down-stairs into my office and walked out the back door, and I wanted to see whether they intended to execute the threat or only to bluff me.

A CANDIDATE FORCED TO RESIGN.

And I went back to my brother's and told the servants, "I will go to the back building," and if there were any demonstrations of violence to let me know. I had not been there more than ten minutes before there came along a colored man, who said the young men on the street were hunting for me, and called for me to run. I then went back to the bushes and staid until dinner; and at dinner I came up the back way to my brother's; and while at dinner two of these young men came across the yard and walked backward and forward with their pistols. It was not more than ten steps, but I could see it as well as the others. I saw them, and could see them looking at their arms, and they inquired for me. Col. Frank Petty told them I was not there; but these two came and inquired up there. He was meeting me there in relation to the tickets. They drove him back and would not let him come in. He was candidate for the board of supervisors, and they made him relinquish his candidacy, and told him if he was found about that place they would hurt him. That is what he told me afterward.

Q. Do you know whether he did resign his candidacy?—A. Yes, sir; he did. These men went and took their stand where I could see them. They staid there some hours, I suppose. It seemed a good while to me. This was prior to the election on Thursday. On Friday, that evening, I was to meet my friends at my sister-in-law's. They had my brother under arrest at the time at the court-house.

Q. With what offense was he charged?—A. They charged him with embezzling warrants. He was chancery clerk. They charged him with that.

ALL THE ROADS PICKETED.

Q. Under arrest by criminal process?—A. Yes, sir; by legal process. Then I had a negro take my horse back to a certain place, and I went the back way through the woods and went to my sister-in-law's that night, twenty-two miles, and I was very much exhausted. It took me all night to get there, and the roads were guarded, it was said. Parties came to me and told me the roads were guarded. In fact, they sent an order to have tickets here, and a colored man whom they sent for the tickets they stopped on the road and searched him; and the letter he had hid in the bottom of his shoe, and they did not find the letter.

Q. What tickets did you intend to get here?—A. Tickets for the election, the congressional and State elections—for all the elections that were to come off on the Tuesday succeeding, and they stopped him and turned him back, and told him that all the roads were picketed, and they could not pass any one. Well, there were parties inquiring for me, and I took to the woods and went out till I got out of the

range of those pickets. In that way I would get by, and they did not suspect I got the tickets in that way and carried them out. My wife had been away that day and returned home just at dark, and three men who had been searching for me and they had lost sight of me. They had been searching and went to Palo Alto, and they went on by to Barr's, three miles from my house, and inquired if he knew whether I was at home or not, and said they wanted to see me to compromise the election. That was the expression. They could "compromise" if they could see me; and they called for their dinners and their horses to be fed. They were all armed. They did hardly expect I would be at home, and consequently they would not go over to my house until night. So just between twilight and dark in the deep dusk, as my wife rode up in the buggy they rode up and they asked her if I was at home, and she told them that I was not. "Where is he?" they asked. She said she did not know where I was then. "Well, what do you want with him?" she said. They said they understood his family was very sick and they came here to see if he was sick and to say that his brother is in great distress, and that they came here to get me to go to West Point to-night.

They first said to Barr that they came to compromise the election, and now they told my wife they wanted me to go to West Point that night to see about my brother. I knew all about it. She told them I was not there and had not been at home since Sunday. "You say he is not here," they said. "Now, let us tell you if you will bring him out we won't hurt him," they said. She had asked their names at first and they would not tell their names, and she wanted to know who they were, and then they whispered and consulted a little and said, "Let's tell her." And they told who they were, and they said they would not hurt me if I would come out and go with them to West Point. She said, "I tell you he is not here, and I am not a person who tells lies, and I do not like men to come here and talk that way. I don't wish to be insulted in my yard." "Well" said they, "we will stay all night if you will take us." My wife replied, "I never ask gentlemen to stay all night when my husband is absent." And my little boy said to her, "We can take care of them," and she said nothing; and they then said they could stay in the woods, they supposed; and they turned and went to the back of my field, and as they went riding around the lot they met an old darky, a colored man who lives with me, and they hailed him and said, "Who are you?" And he says, "Reuben Green;" and they asked, "Where do you live?" "With Dr. Harrington," he replied. "Where is he?" they inquired. He said, "I don't know; he hasn't been home since last Sunday." "Ah, are you sure he has not been home since last Sunday?" rather sharply, he said. "No, sir," he replied; "he ain't been here." "Well, you can go on," they said, and he went on and left them behind my lot. I have one neighbor to whom they went in about an hour. He thinks and says it was about an hour.

They went to his house and told him they wanted him to direct them across this bad swamp, and they had been to see me and I was not at home, and they went off. I went back to West Point that night; the Saturday night previous to election I went back to West Point. The next day they were searching awhile, for runners came and told me so. I was to dispense tickets. One came in and told me he had to go through the woods; that he could not pass on account of the roads being picketed, and he had to slip in, and I dispensed the tickets Saturday night and Sunday morning. At West Point I could see parties riding around all day, seeming to be searching, and inquiry was being made constantly as to my whereabouts, but no one informed them, and they could not get

any information. On Sunday night, as there seemed to be such an interest and anxiety to get hold of me, I concluded again to retreat, and I went to my father's; started after supper, and I walked five miles through the woods after night, to avoid the pickets. I had sent and found there were pickets, and I went five miles, knocking around through the woods with my horse. I then went to my father's that night, and staid there until after the election; was not at the election at all. Parties came to me and told me—my wife's son came to me and told me—that the democrats had told him if I went to the election they would kill me. Then Reuben Gruen says the president of a club, on the day of election, said in that place that, while he was in favor of peace, if I came to that place he would order his men to hang me right up on one of these limbs. I had seen them run Major Point away, made him quit West Point, and seen so much of their demonstrations, I knew that they would kill me.

Q. What were the circumstances of their running Major Point away?—A. They got up a riot between two individuals—two republicans—not large either; but he attempted to kill one of the leading democrats—to shoot him—and they got a riot up in consequence of that, and they came around in the court-house and they said they were searching for radicals, and were going to clean up the whole thing.

Q. When did that occur?—A. A few days before the election—I think about two weeks before the election. A few days before the election Petty was in the court-house yard, and the democrats came there.

Q. Was he concerned in the shooting?—A. No, sir; he never was. He was a negro and candidate for sheriff. He happened to be out, and they inquired for me; but I was not present. I had suddenly stepped to the backhouse, and heard everything and seen everything; and when they came up there there were some thirty or forty, and some of them said something to him; and the latter said let him alone, that he was a peace-officer, and not to interrupt him.

Q. You spoke of some one who warned you before the discussion, when you went to have the discussion as to the legislation. Was this the same man?—A. No, sir; this man was at work in the clerk's office.

Q. What was the name of the man who told you it was not safe?—A. Mr. White.

Q. Was he a democrat or a republican?—A. He had been a republican, but he acted afterward entirely with the democratic party, I think. He acted in that interest in every particular. I think he claims to be a democrat.

WITNESS TO BE HANGED IF HE MADE ANOTHER RADICAL SPEECH.

Q. Is there anything further that you recall connected with the election of any importance?—A. Well, I might perhaps say that individuals, leading men in the community, some of them, and great democrats, upon my making a speech at Palo Alto, after making a speech, one of them came to me and said that that was the damdest radical speech he had ever heard. He said that he never had heard such a radical speech as that. I saw him again at West Point, and he says, "I am one of ten that has agreed to hang you if you ever make another such a speech." They had agreed in a democratic convention, as respectable democrats as there are in the county, and four of them volunteered to hang me immediately wherever I could be found, if they could get ten. But they could not get the number, and, consequently, did not put the matter in execution. A few days after the election I was on my way to my office and I met Dr. Townsend, one of the most intelligent democrats in my county, and we had a little conversation, and he told me that he thought

on the day of election I would not have been hurt; that they had the thing fixed. "We knew that the negroes would vote as we wanted them; but if they had gotten you at any time previous to that for a week they would have used you." He meant kill me, of course. He then said that they had no ill-will against me individually, and when they had accomplished their political objects they would not have hurt me, and I might have gone to the election. I said, "What was against me?" and he said, "They thought you was the managing talent of the party, and on that account; and we were determined to beat this election."

RELATIVE PROPORTIONS OF THE RACES.

By Mr. CAMERON:

Q. What are the relative proportions of the white and black races in your county?—A. There are two black to one white; in the neighborhood of that.

RESULT OF LAST ELECTION.

Q. What republican majority was generally conceded to be in the county prior to the commencement of the last political campaign?—A About eleven hundred.

Q. What was the result of last election in round numbers?—A. About six hundred democratic majority.

Q. Who were elected to the legislature from your county last fall?—A. All whites.

Q. To the lower house?—A. We had one representative to the lower house, and Mr. Barry, senator, from our district.

Q. Were they democrats or republicans?—A. Democrats.

Q. Who was the republican nominee?—A. Mr. Pruett.

Q. Was Barry elected senator last fall?—A. Yes, sir.

ELECTION STATISTICS OF THE SENATORIAL DISTRICT.

Q. What counties are included in the same senatorial district as yours?—A. Oktibbeha and Lowndes Counties make up the district.

Q. Prior to last election were the republicans in the majority in Oktibbeha and Lowndes?—A. Yes, sir; a very large majority in Lowndes. They gave a majority of about 800, I think, in Oktibbeha, and about 2,500 in Lowndes.

Q. Is Barry a democrat or a republican?—A. Democrat.

Q. So that a democratic senator was elected in that district, Mr. Barry, and a member of the house from your county?—A. Yes, sir.

INTIMIDATION OF THE REPUBLICANS.

Q. What was the state of feeling among the republican voters, particularly the colored republican voters, as to whether or not they were secure, whether or not they would be injured in their person or property by the democrats?—A. They were in the most intense fear and apprehension. They expected they would be killed, numbers of them, and great numbers of them did not go to the election at all.

Q. On account of that fear?—A. Yes, sir, and the threatenings that they had received.

A NICE MAN AND CHRISTIAN RUNS OFF HIS LABORERS FOR VOTING REPUBLICAN TICKET.

Q. You may state the nature generally, as you understand it, of the threats that were made against the colored republicans by the democrats.—A. So far as I have heard, the most of them were, that "if you colored people vote"—I won't use their rough language—"if you vote the republican ticket this time—if you do"—sometimes they would say—

"you will never come from the election." Other times they would say that "you will never go to the election," and others this: that "if you vote you will have to leave my place;" "you shan't stay in the country;" "you shan't be here and vote us down." "If you stay in the country you will be killed if you vote the republican ticket;" and vast numbers were discarded from their places where they lived—leading republicans. In one instance, a democrat, Mr. Barr, a nice man and a Christian, a good man, I think, I went to him after he had told two of his best hands, those men and their families—I went to him individually——

Q. After he told them what?—A. After he told them to leave his place for having voted the republican ticket, and I said, "Mr. Barr, these are good men; they are honest men; they are the best hands you have." He says, "Yes; I hate to turn them off, but my club required it of me, and I have to do it."

Q. What club did he refer to?—A. The democratic club, beat No. 4, and he did run them off. I know of that.

Q. How general was that throughout your county?—A. I think, sir, it was general all over the county; so far as I know, it was. Wherever I have been—and I have been almost all over the county—they ran a good many off; the leading republicans who have had any influence with the colored people were driven off.

THREATS AND CANNON.

Q. What was resorted to in order to drive them off? How was it done generally?—A. They threatened them individually, in the country, and they got arms, as I was told. I knew it was not safe for me to go and see, and I did not go and see. I did not think it was a very healthy place for me. But they distributed arms at the precincts; the democrats did. My son-in-law told me (he is a democrat) that at Palo Alto they had about two hundred guns. They said they would run the negroes out who wanted to vote the republican ticket. But they did not use one, I do not think. They were taken out, because they controlled the negroes as they pleased, pretty much. I was told of others, but it is all hearsay. I presume it is so; they all thought it was so. They also had a cannon. They threatened us with cannon.

Q. Where did they do that?—A. During this canvass they carried a cannon around with them to every speaking-place and meetings at nights. They would go out at night. On one occasion they went out five miles from West Point to one particular place, I remember, Sykes Chapel. They took out their cannon, and a lot of whisky and tobacco, and told the negroes to come and eat, chew tobacco, and drink whisky. And they took their cannon and fired it again and again. They got it from West Point. They told the negroes there to come and drink their whisky; but the negroes said they wanted them to drink first; and they had to drink first, and then the negroes drank. On various occasions they carried that thing all over the county, shooting, booming away all over the county, and bringing out their drums, and speaking, and done everything of that sort to create apprehension as to the result.

Q. Was it customary for the democrats prior to the last canvass to carry cannon with them from one place to another?—A. Never.

Q. Do you know, from information or otherwise, where this cannon was obtained?—A. That was taken from West Point. They had two. They had one in the beginning of the canvass, and they got another. I do not know where they got it from. I heard it came from Mobile, but I do not know that as a fact.

PERCENTAGE OF BLACK DEMOCRATS.

Q. What percentage of colored voters in your county are democrats?—A. Well, sir, I do not think there are more than two in a hundred.

Q. Two voters in a hundred voters?—A. That is my opinion. They said I am the best posted men in the county, and I think I am; for I have attended to all the clubs in every canvass in the county, and organized clubs, and talked with every leading republican, and talked with the whites in the county. Have had means of knowing the state of feeling and sentiment of the colored people as good and as sure as any man in the county.

Q. And that is your deliberate opinion?—A. Yes, sir. I think that is a big calculation; a large calculation. We have 2,200 voters, and there are not 40 democrats.

Q. Two thousand two hundred colored voters?—A. Yes, sir.

PERCENTAGE OF WHITE REPUBLICANS.

Q. What percentage of the white people in your county are republicans?—A. I am a little ashamed to say that it is very small; perhaps not any larger, hardly so large, as the percentage of negroes the other way; though there are a great many who came to me privately and said we want to vote the republican ticket, but we cannot do it. Our families would be ostracised and we would be ostracised. They have got lists going around all over the county, taking a list of every man how he is going to vote, and if they don't say that he is going to vote with our side they put him down on the negro side. "I could bear it for myself but not for my family. I cannot vote for you, although I think you are right."

SOCIAL OSTRACISM OF THE REPUBLICANS.

Q. State, doctor, generally, to what extent this social ostracism is carried in your county.—A. To a very full extent; as far as it possibly can be. They don't associate with my family, or the families of republicans. We have to make what little associations we have with ourselves. We are perfectly ostracised in every particular. A man who is a republican in our county must make up his mind to all sorts of ostracism. After election a man owed me something, and he agreed to pay me a certain amount in corn each month; at the beginning of each month. The roads were very bad, and he goes to Robinson's and said, "I want you to let me have ten bushels of toll-corn on the first day of every month, and I will pay the corn back as soon as I can." He says "Yes; I would be glad to make that arrangement." And I sent for the first ten bushels of corn, and my son went there, and when he found out it was for me, he sent word: "I have taken an oath not to aid any leading radical for love or money, and I cannot let you have any more corn for his benefit." And I got no more, That is just a business transaction. In my practice, where I had once a good practice before, they have universally went into some sort of an understanding that they would not patronize me after that as a physician. Before this I had a tolerably respectable practice. If they had a bad case, rather than die, they would let the radical doctor attend them; and I am sometimes called out in that way. But my practice has been pretty nearly cut off in that county. They don't pretend but I am the best physician they can get. They give me more credit for talent and work than I myself think I deserve in that particular, both medically and politically, even more than I deserve; but at the same time I am ostracised because I am a radical.

AN ELECTIONEERING ADVENTURE.

Q. Are the white men in your county generally armed?—A. Hardly a man of them for days before the election, especially young men, but what were armed. I started out big before the election, until this information came to my brother that I would be killed if I persisted in my debates with them any further. I desisted from speaking, and I made no speeches at no place at no time, but what a number of democrats were present and heard every word I said. I made no private speeches. Previous to that time, in campaigns before that, I had often spoken to the clubs—these colored clubs—when there were no democrats present; but last year I made no speeches unless they were present, and a great many, sometimes a hundred, and sometimes five hundred democrats. When I desisted, I desisted for a week or two. Finally there were so many solicitations from the western part of the county, from colored republicans, and one or two white republicans—there were so many, that I started a week before the election to go out and make a speech. In the morning there at West Point, I went early to the stable to get a horse. There were two stables, and I went to the one I had patronized before, and I applied and asked if they had a horse. He said, "Yes; three of the best travelers in the country." Of course, I thought I would get a horse. And he says, "The travelers are gone and will not be back soon." Captain Gay, who was there, was a very active man in the canvass, and he had heard that I was going out to make a speech, perhaps, and he went immediately and had a conversation, and they came up to me and said, "We have no horses. Our horses are all rode down, and we cannot let you have one; but Colonel Gerdine went out last night and has one horse; we will let you have that. He will be in, perhaps, in an hour and a half."

I went, then, to the other stable to see what I could do there, and I saw these men covered up, and they came and said I could not get a horse there. I went back to the first stable and said, "If this horse comes in an hour and a half"—I knew the gentleman very well there—"I will take the horse." Said they, "We will send you word." In about an hour and a half, between nine and ten o'clock, I think, they sent me word that the horse had come; and as I went out to the stable I saw two or three fine horses. I then went on, and he showed me my horse; it was a rough, raw-boned horse, very rough horse, but a good buggy-horse. "You can have the buggy for $5, or $2.50 for riding." I offered him a dollar for the buggy, but he would not take that. I offered that to him additional to the $2.50, but he would not take it. They had the horse bridled and I mounted him, and as I went off I saw some young men come for these fine horses, but it created no apprehension at that time. I just thought about the fine horses. I noticed that they were fine, and they were the same horses I noticed before; and just behind came a buggy. I was delayed some, and I put my horse under the whip, and he was a fast horse, and I went at full speed; but the men in the buggy kept up with me for several miles; indeed, for a distance of nine miles, before I began to be very apprehensive—before I thought they were after me. When we got about nine miles these fine horses began to fag. They were fat, and it was a very hot day for that time of year; but mine was as good as ever. He seemed to gather strength as he went. When I got to Palo Alto, a distance of twelve miles, one of the gentlemen went in and get into the one-horse buggy with the other man. Then there were four after me, and then I began to suspect that they meant some bloody work. Says I to myself, after I turned the corner a little, "I will strike out as

rapidly as my horse will go, and I will see." It was about a mile then to a gate, and I let my horse go about as fast as he could; and when I got to the gate, just behind me they came; and I opened the gate and invited them to come through and shut the gate after them. I was satisfied that they were after me then. Well, they did not commit any rudeness, or say anything to me; didn't talk, didn't ask me where I was going; but I saw their arms. There was another gate about three miles farther. "Now," thought I, "I will give you a race for that gate." And I put out for three miles, and went it in a pretty short time; and when I got there they were there with the buggy, and I opened it again for them. I was then one mile from Hulkey Swamp, which was a very bad swamp, and there was a hole where I could leave them, and where they would get stuck, I thought, and so I made for that hole; but before they got that far, about half a mile, they turned off on the road, and we separated in that way.

They went the road to Robinson's mill, a distance of about twenty miles from West Point. I went around the plantation through the edge of that swamp, and back up into another road that went to the appointment, and there I came across a man going to mill, and he went on to the mill, and when he got there he saw three men, and he told them he had seen me, and I had gone a certain road. He told me this afterward. I went to the appointment, and when I got there to the place of speaking, I was not in a very good plight to talk; but the republicans, when I got there, gave way to let me speak; and I spoke an hour and a half before they came; and about a half an hour by sun these fellows came riding up while I was speaking. I was mainly speaking that day of the manner of carrying on the canvass; and I mentioned to them that I never knew, in the history of politics, of the republican party doing what I have seen done by democrats in this canvass, going round with tobacco and whisky, treating the negroes, trying to secure their votes in this way. I had never seen such a thing as that, and I had never done such a thing as these gentlemen have done, (pointing to them. They were before me on the stand.) "You never saw me carry a bottle of whisky among a parcel of negroes." I was speaking about this when these gentlemen came up, and one says, "Now, let's stop him right there." Major Bugg and another man they said not to interrupt me. They spoke to him, and I saw him speak back, but do not know what he said. The republican candidate for sheriff was near enough to hear what was said, and they said, "Let him go on; he has not said anything yet very offensive." I spoke until sundown and left them, and they never interrupted me at all.

NO ARMING AMONG THE NEGROES.

Q. It is claimed that the negroes, a great many o fthem, were armed? —A. Not in our county. I never heard that such was the case in my county. I think I have as much influence in my county as any man in the county. I have never sought office at all, but I have done all disinterestedly, all that I have done for them. I believe the colored men have confidence in me, more than in any man in the county. When they were threatened some said, in the beginning of the canvass, "We must have guns; they are going to attack us now and we will shoot them"—the democrats, in the early part of the canvass. I says, "No; don't one of you go to one of these meetings with an arm. Never carry them; not a gun nor a pistol about you; you can do nothing by fighting, and you must not do it. If you make a demonstration of that kind, you will certainly all be killed." Says I, "Don't one of you go armed at all." And there was never any arms carried at all, that I know of. There

was no disposition to fight, or for a difficulty. Their disposition was to be peaceable and quiet, and have their rights; that was all they wanted.

INTIMIDATION AND INTERFERENCE THE CAUSES OF DEMOCRATIC MAJORITY.

Q. State briefly what was the cause of the democratic majority in your county last fall, or the causes?—A. The cause was, in my opinion, this intimidation and interference; a good many could not go to the election for fear they would be killed. The negroes in some places were forced to vote the democratic ticket, and a good many of them had their tickets scratched. If the tickets were not destroyed, and if you send for them down at West Point, you can see them; and you never saw such things in the world. Many of them could not read, and were fooled out of their votes in that way, many of them. I was not at the election, but I was informed that in many cases they were forced from the polls and were intimidated; and but for that intimidation there would not be ten democratic votes in the county from the negroes.

NO NEGRO CONVERTS TO DEMOCRACY.

Q. Then you do not agree with those who claim that the negroes were genuine converts to democracy that fall?—A. No, sir; I do not believe it. I don't believe that there was any conversion, not one. If it were not to involve parties—a gentleman—I could disclose some things. I do not know whether I ought or not. They told me what made them do it, and how they were led to do it.

Q. You spoke of having resigned your office; you mean that of superintendent?—A. Yes, sir. The democrats seemed determined to have the office. Once they broke open my office and held an election there. They had a number of my books, my records, there, and they interfered with them and scattered my papers all over the house. I was apprehensive that I would get into trouble, and that I had better resign.

CROSS-EXAMINATION.

By Mr. BAYARD:

Q. Will you give me the name of the individual who said he would turn off two of his hands because the club compelled him to do it?—A. Yes, sir; J. M. Barr. His post-office is Big Spring.

Q. How far from here is it?—A. Twenty-five miles.

Q. Is he a farmer?—A. Yes, sir.

Q. Who were those two parties to this killing which took place at West Point, two weeks before the election?—A. I do not know; I was not present. I did not even know the negro who was shot through the shoulder.

Q. What was his name?—A. I do not remember the negro's name.

Q. What is the name of the man who shot him?—A. I cannot tell his name.

Q. Do you know anything about the circumstances at all?—A. Yes, sir; I do not, but in that way.

Q. What was the man's name that shot the negro?—A. I do not know; I do not remember his name.

THE RIVAL TICKETS—ABOUT SCRATCHING.

Q. There were two tickets in the county, just a straight republican ticket and a democratic ticket?—A. Yes, sir.

Q. There was no fusion ticket?—A. No fusion ticket in that county.

Q. What was the effect of the scratching you speak of?—A. They were scratched by putting on democrats.

Q. Taking off one name and putting on another?—A. Yes, sir; on the republican ticket, not the democratic.

Q. A good deal of it was done?—A. Yes, sir.

Q. And they bought over men?—A. Yes, sir; bought over. That I heard; I do not know that.

NAMES OF INTIMIDATORS.

Q. What is Dr. Townsend's name, his full name; who said they would carry the election under any circumstances?—A. I think his name is William. He lives at Siloam post-office.

Q. How far is that from here?—A. About twenty miles.

Q. When did he say that, and to whom?—A. It was after the election when I resigned; a little after the election.

Q. What is the name of the State senator who said the same thing?—A. Barry.

Q. What is his full name?—A. I cannot remember, but he is not our present senator.

Q. He said the same thing?—A. Yes, sir.

Q. To whom?—A. He said it in his speech, that they would carry this election.

Q. How many meetings did you attend during the canvass?—A. I do not remember and cannot tell, but quite a number I attended. I attended right in succession, one day after another, prior to the time when they came and told me I had better desist; and on different elections I spoke all over the country.

Q. How many speeches do you suppose you made during the last canvass?—A. I can tell you nearly. But twelve that I remember of.

Q. At different meetings?—A. Yes, sir.

Q. Did you witness in that time an act of violence inflicted upon any one?—A. I did not.

Q. Was there any act of violence inflicted upon you?—A. No, sir.

Q. Any assault made upon upon?—A. No, sir.

Q. At any time?—A. No, sir; unless that young man who came with weapons and threatened me, but did not strike me.

Q. Who is he?—A. He is the present chancellor of our county.

Q. What is his name?—A. Alexis Brame.

Q. The present chancellor?—A. Yes, sir.

Q. What did he do to you?—A. As I told you before, he hailed me across the street, and had two or three other young men with him, and one went part of the way across the street, and Brame was the one that talked to me and told me to go to my hole. Said, "Go to Hamp Harrington's and stay there, and if you are caught on these streets any more it will be at your expense."

Q. When was that?—A. I think on Thursday evening prior to the election.

Q. Was that the only case in which anything like an assault was inflicted upon you during the canvass, except these threats that you speak of on the road, which you detailed at some length?—A. Occasionally some of them at some places would dispute my word and say that was not so.

Q. Contradict statements which you made in public speeches?—A. Yes, sir. I was interrupted frequently; not by those gentlemen with whom I debated. In the debates I was treated very kindly.

Q. Who were the persons who called on the supervisor to relinquish his office?—A. Those parties, I think—three.

Q. Who caused him to relinquish his office?—A. Those parties there; George Coleman and some others. One party was Henry Hatch.

Q. Who was Coleman?—A. President of the board at the time.

Q. Do you know these two men compelled him to relinquish his office?—A. He said they did; that they drove him off. When he came to act they would not let him act, and made him go away.

Q. Who were the men?—A. George Coleman and Summerfield Sykes.

THE WITNESS'S BROTHER.

Q. Before what judge was your brother charged with embezzlement?—A. Before the mayor of that place.

Q. West Point?—A. Yes, sir.

Q. He was bound over to what court?—A. The circuit court.

Q. Has the trial been reached yet?—A. No, sir.

Q. Has there been any action by the grand jury upon it?—A. Yes, sir; found a true bill.

Q. Found an indictment against him?—A. Yes, sir.

Q. What is your brother's position?—A. He was chancery clerk of the county, and he was—in the capacity in which he was accused of embezzling, he was clerk of the sheriff of the county, I think. I do not know about that.

Q. Who was the president of that club of which you spoke? J. M. Barr?—A. No, sir; not president of the club. He was a member of the club. The president of the club, he said, was Pad Malone—Patrick, I reckon. They called him "Old Pad Malone" at Big Springs.

TREATING NEGROES WITH WHISKY AND TOBACCO.

Q. Was it a very frequent thing, this treating of negroes with whisky and tobacco over the county?—A. I think pretty general. I could hear of it. I did not go to the meetings. I never went out any at night. I did not go with them at all but when I went in the day-time. The negroes told me all over the county.

KNOWS OF ONLY ONE ACT OF VIOLENCE AGAINST NEGROES.

Q. Can you state any one act of violence upon a negro by a white democrat during the canvass?—A. I have spoken of that case there at West Point, which I told you I did not see.

Q. You do not know any case of that kind at all?—A. Well, no; I presume I do not.

Q. And you do not know the name of the man at that place?—A. I do not know now.

Q. You do not know the name of the negro that was hurt?—A. No, sir; not at this time. The other witnesses can tell you. The party who shot, I think, none of them knew. I think he was a stranger.

NEGROES TURNED OFF.

Q. What other particular case of personal intimidation do you know of against the negroes, except those two who were turned off?—A. A great number were run off. I could tell a good many of them.

Q. How do you know that it was for that cause?—A. They told me so. The persons who turned them off told me so. Those very parties told me; and the very ones who told me that if they did vote they would be turned off, afterward told me that they were turned off.

Q. Your information came from the parties who were turned off?—A. Yes, sir; and from white men. There was a publication made in the county, and I reckon I could get a copy of that action of the clubs, in which they agreed——

Q. That they would resort to that means to compel men to vote as they wished?—A. Yes, sir.

Q. What other acts of intimidation than that do you know of—than the turning of men off?—A. This general intimidation that I have spoken of a while ago, such as telling them they had to quit and go if they did not do so.

Q. Who did you ever hear say so to any man?—A. Different white men I have heard say that.

Q. To whom?—A. To the negroes.

Q. Have you ever been present when that was said?—A. Yes, sir.

Q. State the names.—A. One was J. Harrington, a nephew of mine, who said that they would have to quit and go; that they would have no friends among the democrats, and could not live without their friendship. They told a good many things of that sort; general intimidation of that kind.

Q. Do you know of any other acts than those? Do you know of any act of personally putting in fear?—A. No, sir; so far as these things are concerned, I think I have told all I know in regard to it.

NO AMERICAN FLAG, BUT TWO HUNDRED OTHERS.

By the CHAIRMAN:

Q. Were you at the West Point meeting of the democrats, two or three days before the election?—A. Yes, sir.

Q. Did you see the flags exhibited there?—A. I think I saw two hundred flags, but no United States flag.

Q. What were they?—A. There were some very nearly—I cannot say if just exactly—like the confederate flag, and all sorts, shaking and waving. But I saw no United States flag. At the West Point meeting, up and down the streets on both sides, for nearly a quarter of a mile, over both sides of the street, thirty or forty feet high, on the tops of the buildings.

By Mr. BAYARD:

Q. Did you walk along the whole of that street?—A. No, sir.

Q. Where were you?—A. I was at my office, and went from my office to the hotel where the district attorney was.

Q. Did you pass by and along this row of flags?—A. Well, I could see up the street.

Q. How far could you see? I think you said you had ophthalmia, or something, which prevented you seeing very far.—A O, I could see. I cannot discriminate features half across the street. I could see these bars and colors.

Q. Did you see confederate flags at that meeting?—A. No, sir; I said flags resembling. They might have been like them. I do not know how many of these stripes they had on them. I do not know that they were full confederate flags. I know about the various colors, and from the appearance of confederate flags which I have seen.

Q. Was there no United States flag, then?—A. I did not see any. I seen the particular ones. I think those on the court-house, if any, United States flags.

Q. Did you walk along the entire line of the street where those flags were?—A. I did not walk along the entire line; I think near the lower corner, and looked up.

Q. That was the meeting at West Point?—A. Yes, sir.

Q. When?—A. The Thursday before the election, I think. The election was the Tuesday following.

J. L. EDMONDS, COLORED—CLAY COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

J. L. EDMONDS sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Clay County.

Q. Which was Colfax County?—A. Yes, sir.

Q. Near what place?—A. West Point.

Q. How far from West Point?—A. My home is in the corporation, and I have been employed in teaching school about four miles from town since the 1st of April.

Q. How long have you lived in Clay County?—A. Two years.

Q. Where were you from before that?—A. From Lowndes County, which is the adjoining county.

Q. What is your age?—A. Twenty-four years—not exactly twenty-four. I was born in 1852.

Q. Where did you get your education?—A. At Columbus.

Q. In this State?—A. Yes, sir.

Q. In Lowndes County?—A. Yes, sir.

THREATENED WITH DEATH IF HE PERSISTED IN MAKING REPUBLICAN SPEECHES.

Q. Do you know anything about the election-canvass of last year? If you do, you can state to the committee what you know.—A. I went around a great deal in the county in the republican canvass, and I spoke, I think, a time or two in the last campaign. I continued to go to them until I was attacked in the streets of West Point one day by a man by the name of McCeachin. He attacked me on the street. There was four or five with him, and asked why was I going around speaking, and what did I have to do with it. I told him just because I belonged to the party. He told me, "I want you to stop and have no more to do with it, or they would kill me"—just that way. I promised that I would not have anything more to do with it. They had pistols in their hands, and were armed, and I had to make the promise to save my life; and then they let me loose. I went to the clerk employed by a man by the name of Vincent Petty. I went there and they came in there and attacked me again, and told me, in the presence of Petty and his clerk, if I ever went around making speeches anywhere in that county to put on my burying-clothes, as I would never come back to West Point any more.

REPUBLICANS HAVE TO GO THROUGH THE WOODS TO GET TICKETS—ALL THE ROADS PICKETED.

Q. Who were the men?—A. A man named Tipton—he lives there now; J. H. McCeachin; I do not know his first name. And then I was out there before the election, during the whole campaign, until the time of the election; staid out at Mr. Harrington's, the chancery clerk's, house. I staid there during the campaign. To get tickets, it was impossible to come there in the daytime, almost, for any republican. The democrats staid around his building, and immediately around his door, all day long. He lived nearly outside of the corporation, just on the inside of the corporation, and the only way to get tickets from there was to slip through at night; and it was very dangerous going to Mr. Harrington's. Mr. McCaulay, the candidate for senator of the repub-

licans, they came to his house and Harrington's, and slipped through the lines and passed through the corporation. Our people from the country, they came at night to get tickets, but did not come the road. They came through the woods to get tickets. The roads were picketed all over the entire county, and nothing going on the whole time.

Q. Did you see any pickets out in the roads yourself?—A. Yes, sir. I started out, was attacked, threw down the tickets, and left.

PICKETS TAKE HIS TICKETS.

Q. What do you mean by being attacked? Was there any personal violence?—A. Yes, sir; they asked me did I have tickets, and I said yes; and they asked what I was going to do with them, and I told them; and they said to turn them over and leave the tickets with them, and I left the tickets and went off.

Q. You were stopped by the pickets?—A. Yes, sir. I do not know who they were; they were all strangers.

Q. All white men?—A. Yes, sir; and regularly equipped. They were well armed, and they were on all the roads.

Q. How many meetings did you speak at?—A. At three or five.

Q. Were there any democratic speakers at the meeting?—A. Yes, sir.

ARMED MEN WITH CANNON ATTEND REPUBLICAN MEETINGS.

Q. Were the meetings ordered?—A. They were, our meetings; but where we appointed a meeting they would go there and speak as they pleased.

Q. Without any arrangement?—A. Yes, sir; without any arrangement; they did not ask. Where we appointed a meeting they would take a cannon and go out and get a crowd, well armed, from 40 to 50 men.

Q. Did they bring their cannon to these meetings and fire it?—A. Yes, sir; fired a dozen times in some places, and then after they fired it they would load it up with chains, and leave it with the mouth pointing toward the crowd of colored people.

Q. They loaded the cannon with chains?—A. Yes, sir; chains were hanging out of it.

Q. They did not fire it?—A. No, sir; when they fired I suppose they had nothing in it more than powder, but when they were going to speak they would have it turned around, and chains hanging around it. They did that way at the election.

IT LOOKED LIKE VIOLENCE AT THE ELECTION.

Q. You were present?—A. Yes, sir. At Palo Alto on Tuesday morning, the day of the election, I went out there to issue some republican tickets, and when I got through all around, I could not issue to the colored people. It looked like violence there. They got around me with pistols and knives; would go around and take my name, and took my name about a hundred times. Would take it down and make remarks, such as "I would never get back to town;" "The colored people could not come and vote here." They would push me and abuse me, and appear as if they were going to shoot them. The colored people said that if they were republicans they would shoot them. They had a parade there at West Point on Thursday, and the next following Tuesday was the day of the election.

TWO COLORED MEN SHOT.

Q. Were you present that day?—A. Yes, sir. There was a colored man—I was standing on the corner talking, and some other colored men

came up, about a dozen, and they were talking about how the democrats were armed, and one thing and another, and a colored man says, "I do not care how many are riding around, I am a republican, and expect to vote the ticket." Just then a man walked up with a pistol and shot him right here, [indicating.] Then when he shot the colored man he ran off, and the colored man went on the other side of the street, and met a doctor—he was bleeding some—and he got the ball out. Pretty soon another colored man made some expression, and he was shot at.

Q. Shot him, too?—A. Yes, sir. One was shot, and it made a scattering; he was shot at, but was not struck. The shot was right in the crowd, but it did not strike anybody.

Q. Do you know anything about the flags that were flying at West Point on that Thursday?—A. Yes, sir. They had flags—red, white, and crimson flags, with stripes occasionally.

Q. How many flags were there?—A. The whole street was covered; you could not hear your ears hardly for the flags flapping in the breeze, waving and flapping over your head.

Q. Were there United States flags?—A. Yes, sir. They had one United States—it just had a few stars on it—at the court-house. They had some small little flags, but the most of the flags were just like the old confederate flags.

Q. Were there some United States flags?—A. Yes, sir; some.

COLORED MEN AFRAID TO VOTE—THREATS TO KILL EVERY NIGGER IN THE COUNTY.

Q. Do you know whether the colored people voted generally in Clay County?—A. They did not vote generally; they were afraid. When I went to Palo Alto in the morning, I went at the request of some parties, and I found colored men were at work this side of town. They told me they did not look for me to come; they said they would not be allowed to vote at all. The pickets had taken the colored people and everybody else, and asked whether they were going to vote or not; and if they said "yes," they asked how?—if they were going to vote with the republicans; and if they said "yes," they would not be allowed to vote at all. They said they were going to beat at this election; they declared they were going to carry this county, or going to kill every nigger in the county; they said that on the stump, speaking. At the meetings, on the stumps and at the school-houses, around the various parts of the country, they said they would carry the county or kill every nigger; they would carry it if they had to wade in blood. That was their whole doctrine.

THREATS FROM THE STUMP.

By Mr. BAYARD:

Q. Who made that speech, "We will carry the county and kill every nigger in it?"

The CHAIRMAN. He did not say they would kill every nigger in it. He said they would carry the county or kill every nigger in it.

Q. Who said that?—A. Mr. Brame, Frank White, Alexis Brame, Mr. Barry. He is senator from Clay County.

Q. You heard both these gentlemen say that from the stump?—A. Yes, sir.

Q. Did anybody hurt you from the beginning to the end of the canvass, personally?—A. No, sir.

DR. HARRINGTON HAD TO "LAY OUT."

Q. Did you see them attack anybody else except the man that they shot

in the shoulder?—A. No, sir. They were after Dr. Harrington; that was after he had to lay out.

Q. Was he hurt?—A. No, sir. He was the county superintendent, and they were after him; he had to lay out all the time.

ABOUT THE PICKETS.

Q. How often were you compelled to give up your tickets on the road, and what road was it?—A. On the road to Palo Alto from West Point.

Q. How often was it?—A. Once. I did not try—did not take any more tickets out.

Q. Who was present?—A. I do not know; they were strangers.

Q. How many were there of them?—A. Four or five—say five—well-armed men, too. They had little red jackets on, and three or four pistols hanging around them.

Q. Red jackets?—A. Yes, sir; red caps. They were here on our road. They were there two weeks before the election, with red jackets and caps on, and occasionally a cape on their shoulders.

ARMED DEMOCRATS AT REPUBLICAN MEETINGS.

Q. Were the democrats also who came to the republican meetings well armed?—Yes, sir.

Q. How many would come with arms?—A. Well, sometimes fifty or sixty.

Q. Did Mr. Brame come there?—A. Yes, sir.

Q. You saw him there with these men—forty or fifty armed democrats?—A. Yes, sir.

Q. Mr. Barry had some men also?—A. Yes, sir.

Q. Those were republican meetings where the democrats came?—A. Yes, sir.

TWO COLORED DEMOCRATS.

By Mr. CAMERON:

Q. Do you know any democratic colored men in your county?—A. I do. I knew one. I knew two. One by the name of Sampson Brack, another by the name of Wadkins. They were democrats.

COLORED PEOPLE GENERALLY THOROUGHLY RADICAL.

Q. Are you well acquainted with the colored people of that county?—A. Yes, sir; have taught school in every beat in the county. The colored people are generally thoroughly radical. They would carry the county if they had their privilege to vote which way they wanted, and had not been intimidated, by a large majority. They must have done it. It was a republican county until last fall. A good many of them did not vote because they could not carry the election if they had voted. They did not want to have their friends murdered. There was no man would run, because he knew he would die if he did, and they did not want anything like that to take place, and they would not vote any other ticket.

Q. Some colored republicans changed their politics, became democrats, last fall in your county; how was that?—A. Not a word of that. I was at the clubs throughout the county, and it was thoroughly republican.

NO ARMED NEGROES.

Q. Were the colored republicans armed or not?—A. No, sir; not armed, for the republicans in all their speaking advised the colored people not to arm. They were advised from the beginning of the campaign not to arm themselves. At every meeting they were advised to go to

the election peaceably, and to go to the meetings peaceably; and before that I have been in campaigns where the colored people would carry shot-guns and things—that is, they would take them with them—but at the meetings last fall they did not take, they would not take, a gun at any time, not one of them; and I never saw a gun nor pistol among them, among five or six hundred. I did not have a pistol, and they searched me and did not find anything in the world.

J. W. CARADINE—CLAY COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

PERSONAL STATEMENT.

J. W. CARADINE (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in Clay County.

Q. In what place, near what post-office?—A. Near West Point; that is my post-office. A little village named Siloam is nearest me, but no business is done there scarcely.

Q. How long have you lived there?—A. This is the second year.

Q. Where did you live before that?—A. In the neighborhood of Palo Alto, in the same county.

Q. What do you do?—A. Farm.

Q. Do you own land?—A. I have traded for some; I have not entirely paid for it yet.

Q. You have a right to own it?—A. Yes, sir.

Q. Have you taken any part in politics over there?—A. Well, a little, sir.

Q. Have you held any office?—A. I have, sir.

Q. What office have you held?—A. The first appointment I had was trustee in Chickasaw County, before Colfax was formed. After that, I was appointed as one of the school-directors. Since that I have been a member of the legislature.

Q. Do you read and write?—A. Yes, sir; a little.

Q. Have you learned that since the war?—A. Since the war. I did not know the alphabet before the war.

Q. What is your age?—A. I am going on 31; I was 30 the 16th of last February.

Q. Did you make any speeches in the last canvass?—A. A few. Well, I made a good many speeches before I was nominated, and afterward. I was a candidate at that time.

Q. A candidate for the legislature?—A. Yes, sir.

Q. Did you make speeches up to the time of the election on the 2d of November, or did you stop before that?—A. I made some few speeches just before the election. I had a vacation a while after the nomination was made. I was silent until a few days just before the election, and I made a few remarks just to wake them up before the election.

Q. What led you to speak?—A. Well, everybody got perfectly quiet after the nominations were made; everybody resorted home to work, and there was no political excitement in the county; every one got very quiet until just before the election, and some of them thought that it would be proper to sort of liven it up again, and I had occasion to meet them again and talk with them.

EXCITING ELECTIONEERING INCIDENTS.

Q. Did you make any speeches on the democratic side?—A. I could not say exactly that they were on the democratic side. I had occasion to make some with them in joint discussion just a few days before the election.

Q. What led you to do that?—A. The first of my getting in conflict with them, I think, was on Tuesday before the election. The election was on Tuesday, I believe; and a week before the election I made a republican speech at Palo Alto. There is quite a neighborhood there, and they invited me up there to speak for the last time before the election, and I went up there and spoke to them on that night; and on the following day I had occasion to be in West Point, and they attacked me as to my speech that I had made on the night before, and said that they understood that I had made a very fiery, contemptible speech, and wanted I would take it back.

Q. Who was it that attacked you and spoke in the way you said?—A. A gentleman at West Point; one of the attorneys there.

Q. Give us his name.—A. S. M. Bradshaw is the name of the gentleman that spoke to me.

Q. What did he say to you?—A. He attacked me. I went in very early in the morning, and I went around to the court-house; and I got into the court-house, and he halted me and said, "You are the very gentleman I want to see;" and he walked up and asked me what I said in my speech last night. I told him that I really could not tell him right then all I did say; that it was a very lengthy talk, and that I could not tell him all I did say, or really what I did say. He says, "If you said what I understood you said, you done it at the risk of your life." I said, "I don't know as I have said anything in violation of the laws of the country, or in violation of the Constitution under which I live. I always try to stay within the bounds of what I believe to be right, as near as possible. I did not go any further than that, as I think. I may be in error, but I don't think I was in my own opinion." He said: "What we understand you said, if you said it you have got to take it back, and I want you to meet us in the morning at 9 o'clock." We did not have any more words there.

I knocked around the court-house all the next day. I met them the next morning—that was on Thursday. They had a sort of white people's celebration, as you might call it, and all the whites were in town that day. There was scarcely any colored men in town. There was a powerful turnout there, and a considerable excitement; and I went in and staid around there until some time about 1 o'clock, and several of them had hollered at me during the day while they were marching around, and I joked with them. Most everybody in that county knew me, as I was born and raised right there close; and many white men in the ranks hollered at me, and said I had to take back before sundown what I had said on Tuesday night. I felt fearful, and I kept myself perfectly quiet.

About 1 o'clock Beverly Mathews, of Columbus, was making a speech to them on the street. He was on the gallery of the court-house, up from the ground, and I was not at the court-house. Some one came in and said that Mathews was speaking, and I concluded I would go down and listen to him. I went down, and the crowd was scattered around so much that I could not hear him on the outside, but I worked myself along in the crowd until I got near enough to hear what he was saying. I reckon I had been there some four or five minutes, as well as I can remember, and was standing there listening to him, when a gen-

tleman cotched me in the bosom and shook me, and snatched me around. He says, "I suppose you say I am a God-damned liar?" I said, "No, I don't, 'case I never use an oath now;" that I had a different profession from that; that I did not cuss. He said again, "I suppose you call me a damned liar?"—just that way. I said to him, "No, I don't cuss." He then said to me the third time, "I suppose you say I am a God-damned liar? I want you to repeat it." I said, "No, sir; I don't cuss at all, and I don't know what I would call you a liar about. I never had any conversation with you." He said, "Do I understand you to deny what you said at Palo Alto?" I said, "Nobody asked me to deny it, any more than some people attacked me yesterday and said I should take it back to-day." Says he, "Did you say so and so at Palo Alto Tuesday?" and I said to him that I didn't.

Q. What did he say that you said?—A. He said that I told the colored people to fetch their guns to the election; that there was going to be blood spilled on account of this great thing. I said to him, "I am sorry that you think that such an ignorant man as myself would get up in the presence of intelligent men, as many of them gentlemen were, and make such a foolish speech. They certainly did not understand what I said, and there must be some misapprehension;" and from that two or three young men said, "Do you suppose we have not got intelligence enough to understand your political speeches?" I said, "No; I don't suppose nothing of the kind; but there is some misapprehension somewhere. I never carried a pistol, and I never asked anybody to carry their arms, and I think you could not have understood me. I spoke the words plain enough, it looked to me, for any one to understand what I said. I said that a great battle was to be fought on Tuesday next between two very powerful elements, and that each man should be prepared with his ballot to fight the battle at the polls. I spoke it plain enough, it looked like, for any one to understand it, and you have come up and reported that I had said this, that, and the other."

At that time a colored gentleman—I could not call his name to save my life now; I know his folks, and I know him when I see him passing on the street, and I think he lives in West Point—was standing right by me, and they were gathering around me pretty thick, cussing, ripping, and talking. This colored man took me up and carried me through the crowd, making way through the crowd. Immediately these white folks snatched him back, and snatched me back where I was, and they said, "You ain't going to take this man anywhere until he takes back these things; we are satisfied that he has said them, and he has got to take them back." I said, "I try as a boy here to give every man the respect that is due them as citizens, and I have always demanded it, and have got the respect of the white and black all through my life, and I suppose I have got as many friends in the country among the white people as any other colored man in it. I have never been insulted before since the war by any of the white people in my neighborhood, where I live, until this time; and I give every man the respect that is due him, and I asks it of you. It is your day, and I am here as a sacrifice if you want me. But I did not say these things, and what I did say I don't take back. I declared my rights as a republican from principle and not motives of office."

A gentleman named J. W. Prewett, a white man, came to me and just picked me right up, and said, "I have got you in my power now, and will see that you don't get away from me." He just picked me right up as though I had been a boy, and set me up on the pavement, and ran me into a saloon owned by Ed. Ware, and shoved me on in

there, and says, "By God! get away from here; if anybody wants to do"—thus and so, or something of that kind, he remarked that he would not let them do it to me; and he got me into Ware's front door, and there was a partition in there between the front saloon and a back room; and he dodged behind that and shoved me through there, and I kept on through and got into his back room there; and a colored man named Monroe Staggs taken me and carried me to the court-house, and from there I went into the office of the superintendent of public instruction there. I went in there and stayed there an hour, and never saw any more of them; but Prewett said that afterward thirty or forty came after me, and if he had not held the door so as to conceal me they would have shot me before I got out at the back door.

I did not have anything more to do with them after that, I believe, at all. This Jerry Hudson, the one that cotched me that day by the breast—I saw him a day or two afterward, and he spoke to me and said he was as good a friend to me now as he ever had been; that he was drunk on the day of the trouble. I told him I had nothing against him as a man, but that I felt a little wrong toward him for the way he treated me at the time. He said he felt that he had treated me wrong, and was sorry for it. I believe that was about as far as that case ever went, though they told me that I would have to go around and make some speeches for them; that I had risen up a great element or some kind of feeling in the colored men; that they never could get out of them for the next ten years to come, with the speeches I had made, and that I had to go around and make some speeches in behalf of them in some way, or else I might have some trouble. They told me if I would do that, I could demand some respect among them and have no further trouble with them.

WITNESS IS FORCED TO MAKE SPEECHES BY THE DEMOCRATS, BUT "THEY DID NOT REALLY APPRECIATE THEM."

Q. What did they say would be the consequence if you did not go with them and make speeches?—A. They did not say if I did not do it what would be done, as I remember; but they came to my house and fotched a buggy for me and told me I had to go with them to make speeches for them. And they said, "You know what has been said and what has been done; you have got to go, so just hurry in here and go along if you don't want any further trouble." I then got in and went along with them, and they did not really appreciate my speeches at length; but I went along with them and made three speeches; and they had some fault to find with my speeches at last, but I have never had any trouble with them since.

"A BLACK-LIST."

Q. Do you know anything about a black-list?—A. Well, there was a democratic club there, or a conservative club was, I believe, the name of the organization; and they met and passed resolutions that all that voted the republican ticket or took any part in the meetings of the republicans there should be put onto what they called the black-list; but as for the meaning of that black-list, I don't know what they mean by it. I saw the resolution in a newspaper, and the black-list, as they call it, and saw several names attached to it; and they would meet occasionally, and every time they would meet I suppose they would fotch a man up. The black-list was that these men who appeared on it was not to get any employment from any man that owned land in the county, and if any man gave him employment he was to forfeit all his rights in the assemblage.

Q. What paper did you see that resolution in?—A. In the West Point Citizen, I think it was.

FELIX ARCHER HAS SOME TROUBLE WITH HIS EMPLOYER.

Q. Do you know Felix Archer?—A. Yes, sir.

Q. Where is he?—A. He lives about three miles due west of me—four miles, I reckon.

Q. Did he have any trouble in that canvass?—A. He never made any speeches, as I know.

Q. Was he run off?—A. He was not, of my own knowledge. I heard the old gentleman say himself that he was living with a man, I think, by the name of Ivey, and he had told him to leave his place; that he was not going to have anything to do with any damned radicals, or something of that kind; and I think finally he did leave, and he stayed away from his plantation. He lived there till his crop was gathered, and had to take his things away; but I think he allowed him to come back and finish gathering it; and he had to move his family and produce away before Christmas. I know there was a conversation that taken place between me and him, now, and I remember his saying that he had some trouble with his employer.

ABOUT THE PICKETS.

Q. Do you know whether any of the roads in your county were picketed during the canvass or on election-day?—A. None, of my own knowledge; I heard it rumored.

Q. You did not see the pickets?—A. I did not see any. I saw them with some cannon, hauling them around in the back of the town; what they were going to do with them I did not know.

Q. You saw cannon?—A. Yes, sir; they shot off one near my house. They turned right up close to my house, on the hill, and shot it off and went on with it.

ARMED MEN IN UNIFORM AT THE ELECTION.

Q. Were there any armed men at this meeting at West Point on Thursday before the election?—A. I did not see any with guns, as I remember. They had these great big—what they call Ku-Klux pistols—great, big new pistols, a new kind of pistol there; and they had them buckled around on the outside. The privates did not have them, but the officers that was dressed in uniforms had them, pretty much.

Q. How many officers were dressed in uniform?—A. I could not tell you.

Q. What was the uniform?—A. Red shirts and yellow ones, and red caps with a feather or something sticking in them.

Q. Did these men have pistols?—A. Yes, sir.

Q. How many of these men were there uniformed in that way?—A. I could not tell you; I should think there were some twenty or thirty, maybe more. They was the officers there of their club, I suppose. They had general officers to preside over their shebang. They was riding around there generally—a great crowd of them. There may have been, I reckon—a large bunch—one hundred or more, of them.

Q. Do you know anything about threats by farmers not to employ men, other than what you have stated?—A. No, sir; none.

Q. Do you know whether any men were discharged after the election on the ground that they had voted the republican ticket?—A. No, sir; I do not believe I know any of my own personal knowledge. There wa'n't any right in my own neighborhood; there is nobody scarcely in my neighborhood, only one or two farmers living there; all colored people pretty much around there; we are a colored neighborhood almost entirely.

ARMS AMONG THE COLORED PEOPLE.

Q. Do you know whether the colored people generally have arms or not—pistols or guns?—A. A good many of them have shot-guns, such as they are; shot-guns, or Army muskets, or something. They got hold of them after the war when they could get them cheap, and a good many of them got them; but I don't think there was a great many pistols among them; I never seed many.

THURSDAY BEFORE THE ELECTION.

By Mr. BAYARD:

Q. Who was Mr. Prewett?—A. He is an old citizen living there, about four miles, I think, east of West Point.

Q. He was the white man who took you away from the crowd at the time you were standing listening to the speech?—A. Yes sir.

Q. There was a pretty big crowd of men?—A. Yes, sir; I reckon twelve or fifteen hundred.

Q. On Thursday before the election?—A. Yes, sir.

Q. Is Prewett a democrat?—A. He affiliates with the republicans.

Q. He came and just picked you up out of the crowd?—A. Yes, sir; just simply picked me up out of the crowd, and shoved me along into Mr. Ware's saloon.

Q. Was there considerable decorating of buildings with flags that day?—A. Yes, sir; they had two or three hundred of them.

Q. What sort of flags did you see?—A. I saw red, and yellow, and green, kind of made in United States flag stripes; great broad stripes running clear through.

Q. Did you see any United States flags flying among the others?—A. I saw some made sort of in that style, with stars all around.

Q. Do you know a United States flag when you see it from any other flag?—A. I don't know as I would; I think I would, though.

Q. Did you see one flying that day from the court-house?—A. Yes, sir; there was one from the court-house, but I could not subscribe the appearance of it. They had them front of the citizens' doors all around.

THE BLACK-LIST.

Q. What is the date of that black-list you spoke of?—A. I could not tell you that.

Q. What year?—A. In 1875.

Q. Do you know about what time?—A. It was along, I think, in the latter part of the year; in November, I think.

Q. After the election?—A. I think it was after the election when I saw this resolution. I am most satisfied it was. I noticed it in the papers—in several different papers.

R. H. SHOTWELL—CLAY COUNTY.

JUNE 27, 1876.

R. H. SHOTWELL sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In West Point, Clay County, Mississippi.

Q. What is your occupation?—A. A merchant.

Q. How long have you resided there?—A. Since the war.

A QUIET ELECTION.

Q. Were you there during the last canvass?—A. Yes, sir.

Q. Did you take any part in that canvass at all?—A. Yes, sir.

Q. With what party did you act?—A. With the democratic party.

Q. What was the condition of the canvass as to peace and good order?—A. I never saw any better order in an election in my life, during the canvass.

Q. Was there at any time during that canvass any difficulty, amounting to a disturbance, between the black and white people, to your own knowledge?—A. No, sir.

COLORED PEOPLE AT DEMOCRATIC MEETINGS.

Q. Do you remember whether the colored people were in the habit of going to democratic meetings in large bodies and hearing democratic speeches?—A. Yes, sir; they were.

Q. State what you know of that.—A. I went to several speakings, and there was generally a good audience of negroes, and very few white people at them. The meetings I went to were gotten up with the design especially of addressing the negroes and talking to them, and they always had good audiences.

Q. Were they joint meetings? Did you have democratic and republican speeches at the same meetings?—A. None that I know of. We always invited them to come out and espouse their cause, and speak with us before the negroes, but they never came.

Q. Did you ever know of armed bodies of men going to the democratic meetings throughout the county? You have been to a good many of the meetings.—A. Well, sir, I was at some three or four meetings myself where the negroes were especially drawn out, or called out, and I was at one or two meetings where there were but few negroes.

Q. Were you with Chancellor Brame, or Barry, speaking there?—A. No, sir; I was with Barry, making some speeches.

Q. Any armed men present at that time?—A. No, sir.

Q. Do you know of either of them taking bodies of forty or fifty men with them to republican meetings?—A. I know it was never done.

NO ROADS PICKETED.

Q. Such testimony was given by a man named Edmonds, and another man from West Point. Do you know anything about the road around West Point being picketed?—A. No, sir; it was never done by the democratic party.

Q. Did you ever know of any company that was there with red caps, or red jackets and uniforms, who picketed the road?—A. There was a little company of gunners following the cannon that wore red caps; four or five of them that managed this gun.

ABOUT THE CANNON.

Q. What gun?—A. The cannon.

Q. For what purpose?—A. It was just carried around to use in the way of demonstration—getting up a kind of jubilee and means of rejoicing.

Q. Mere salutes fired in that way?—A. Yes, sir; in that way. They never used anything more, I think, than blank cartridges. The negroes assisted in firing it, and enjoyed it more than the white people. It appeared a little attractive to them, and they have gone along and would shoot it. I never knew of any shot being carried with it—anything of that kind—and I do not think it was ever done.

Q. Do you know of any blacks who came to the democratic ranks and quit the republican party?—A. Yes, sir.

NOAH GOFF.

Q. Who are they; do you know any of their names?—A. I know one by the name of Noah Goff, a leading republican.

Q. Vincent Petty?—A. Yes, sir. He was treasurer of the county. I do not know myself that Vincent voted with the democratic party, but he made democratic speeches, went around denouncing the radical ticket, after he had been nominated for treasurer on that ticket himself.

Q. Did he come off the ticket?—A. Yes, sir; he withdrew from the ticket, and the party then nominated the old sheriff, Mr. A. P. Shattuck.

Q. Frank Powell?—A. Yes, sir; he was nominated for county assessor and withdrew and denounced the ticket.

CHARACTER OF THE REPUBLICAN CANDIDATES.

Q. What was the character of the men nominated by the republicans in that county?—A. Well, sir, they were very bad men.

Q. State who they were—something about them, whether they commanded public confidence.—A. They did not command public confidence. I would like, if the committee will indulge me a little, to speak about these men a little, if you please.

The ticket that was nominated met with but very little favor, as a rule, from the republican party. The convention was called by the republican party; and these men were all nominated, and several articles appeared in the republican organ (the Times) immediately after these nominations, which articles expressed considerable dissatisfaction. I have these articles, and would like to read them as a part of my evidence; and then I will go on and state some other facts:

[From the West Point Times, August 6, 1875.]

THE CONVENTION AND ITS NOMINATIONS.

BIG SPRINGS, MISS., *August* 2, 1875.

Editors West Point Times:

Not being an aspirant for office, and, consequently, not a "sore-head," I believe with my record as a life-long republican I can take the liberty to ask for space in your valuable journal for this endeavor at what I deem the interest of every honest, sound-thinking republican in Colfax County. I hope those who wish to see the party victorious will stand with unflinching honesty to its cause, and that the principles which have saved the country and raised it in the scale of nations may ever live is my daily supplication.

The delegates to the convention which assembled last Saturday at your town did not, Messrs. Editors, have the interest of the republican party at heart, but only had in view the offices and their eyes upon the sluggish, incompetent, and unworthy men to fill them, after being forewarned by the honest republicans and the Times the value of the ballot, and their duty in selecting men that should be voted for and elected to fill them.

A convention, in making a solemn appeal to its party adherents to perform their political duties, must be impressed that every man who is placed upon the ticket is noted for his capacity, integrity, and, not less or least, for his honesty. The selection of such candidates will cause the men of energy and thought to rally to their support, and every honest man who has a right to vote will not withhold his vote.

You are, gentlemen, sorry no doubt as republicans conducting a republican newspaper to say it, and with more regret have to record it, that the haste and unthoughtful manner in which these ungovernable would-be leaders thrust these nominations at the people, and refusing to listen to the behests of true republicanism by selecting worthy names upon the ticket, will, as it now stands, cause the party to be routed, horse, foot, and dragoons, with no power to resist the onslaught.

The dissatisfaction to the entire work of this blundering, determined-to-take-their-own-way convention and its nominations by the people throughout the entire county, is too open and manifestly too strong not to be heeded by the holiest of the holy (?) "rings" which concocted and brought about placing individuals in nomination that are unworthy, incapable, and in some instances, as I am informed, fled their country for the country's good, and indictments against others who are to be voted for by this people.

This ticket can't win, and it should not. It won't stand investigation, and I don't think the honest colored property-holders will appreciate this lie upon their moral and political teachings.

The action of the convention does not meet with a favorable reception from one-third of the delegates, and not one-fourth of the nominations are the choice of the whole people which compose the republican party. Its action being so unsatisfactory and in contempt of the responsibility of good government and true republicanism, I would propose, Messrs. Editors, that the people take this matter in their own hands by calling a mass-meeting or otherwise, and there rectify this deformed ticket which was brought forth in iniquity to break up the republican party.

Unless this is done the enemy that is skillful in observing our weak points will thrust those bitter epithets which are too true to be resisted by this "too thin" helmet of sacred right and duty.

It is not generally known, Messrs. Editors, that the convention contained delegates that were under twenty-one years old, and also that in the convention a representation of delegates for 1,000 voters above the legitimate strength of the party was there assembled. In other words, 2,800 voters were represented when there should only have been 1,800. I understand, also, that several clubs in the west section of the county were represented with from twelve to fifteen delegates, sending to the convention nearly thirty, when at the outside they were only entitled to eight; and some others were admitted into the convention without credentials, for with the "ring" it was "rule or ruin," and the earnest and conscientious had their struggle in vain.

I have said much more in this letter than I intended, but the interest which I feel in the success of republican principles will afford my reason for speaking through the Times to the people of Colfax County, that they may undo before it is too late the positive neglect of duty of these assumed "leaders" against the well wishes of the voters. With this ticket in the field our county will go over to the democrats.

Will they submit to the action of this blundering convention with these facts before them?

If so, we have no other fate than the downfall of our party throughout the State. Let a mass-meeting be called of the republican voters of your county, one and all, and there select good, honest, and true men for office.

A democrat remarked to me a few days since, you have had your bad men in office long enough, and, said he, "I'll be d—d if ever you elect that corrupt ticket."

Call a mass-meeting, Messrs. Editors, and show the color-liners we are not going to give them a chance to defeat us for a single office in the county.

Yours,

REPUBLICAN.

[From the West Point Times of August 27, 1875.]

REPUBLICAN EXECUTIVE COMMITTEE.

We are requested to state that the republican executive committee of this county have deemed it advisable to call a meeting of that body at an early day to make some change in the county republican ticket, and to re-organize the different delegations. We hope, and sincerely, too, that this will be done, and done immediately. The ticket as it now stands, or is supposed now to be, is a sham, and is unworthy the name of republican. Republicanism in its truest sense is based upon personal honesty, ability, industry, and method in its officers, and unless the ticket is composed of such the people will refuse to invest it with authority. We would suggest to the committee to bring the best men to the front, who have the fullest share of public confidence, and invite them to accept for the public good.

There will need be a radical change in the ticket, and we urgently request the executive committee to make the base to the key-stone firm as granite, that the vicinity at the poll will compensate for the improvement made in it.

[From the West Point Times of August 20, 1875.]

CALL FOR A REPUBLICAN MASS-MEETING.

We, the undersigned, feeling the necessity of some prompt action in regard to harmonizing the dissatisfied republicans of this county, after consulting with a large number of good and reliable citizens of our party in different portions of the county, we would recommend that there be a meeting of some kind called at an early day, where the people can be represented and their wishes would be consulted. As the so-called convention that came off here a short time since fails to give satisfaction to the

voters and tax-payers of this county, and as the most of them are incompetent and we don't think can be trusted in important positions, we think it dangerous and very injurious to the interests of the republicans for any one or two persons to try to force such a ticket on the people of this county, and it should be treated as an enemy to the country. We would recommend such a ticket as would look after the interest of all, and one that we can recommend and invite all good people to unite with us in electing.

Ransom Chandler,	Jas. Luster,	Daniel White
Monroe Staggs,	A. A. Shattuck,	W. S. Miller,
J. W. Caradine,	F. A. Faulkner,	Noah Goff,
Sylvanus Cooper,	Carl Williams,	I. Cromwell,
F. M. Abbott,	Ed. Gates,	Elijah Saxon,
Felix Archy,	Jas. Paden,	And hundreds of others.
Charles King,	Charles Dale,	

ABOUT H. H. HARRINGTON.

And this paper is the party organ of the republicans there; it is edited by the party. As corroborative of what I expect to state here now in regard to the men who were on the ticket, I read these articles. This ticket was composed of, for instance, the first man, one H. H. Harrington. He was chancery clerk of the county—had been for one term; this was his second term; that was his office, and he had been elected twice. He is a brother of the J. T. Harrington, who testified here yesterday. H. H. Harrington, at the March term—by the way, a negro by the name of Vincent Petty was treasurer, and this man H. H. Harrington controlled the office exclusively; he conducted the chancery clerk's office and treasurer's office both; it is understood that he paid this negro, Petty, for the office, and ran them both. At the March term of the chancery court, Harrington's books showed that there were $11,000 of money on hand in the safe, or which should have been on hand, belonging to the county fund. We have the testimony of his deputy that there was no such fund on hand, but that it ought to have been; but the two supervisors did not require, as the law requires, him to bring that money out, and lay it out on the table and count it before the board. I was requested by a number of citizens at the next term (the October term) to go before the board and demand of the board that the treasurer make a settlement as the law requires—a quarterly settlement. He was informed of it, and invited to come up, but he was not ready, and we gave him another day; and the settlement showed there was $8,853.89 on hand of what is called the court-house and jail fund. Here is a part of the minutes of that meeting, which I can read.

Q. Can't you state the substance?—A. This is the record which shows that in the settlement Harrington's books showed a balance on hand of the court-house and jail fund of $8,853. We then demanded that the money be produced; and after pressing Harrington considerably for it, he at last just came out and confessed he did not have it; that the warrants that represented that money had been deposited in the bank in Columbus, for his individual use and benefit; and confessed to it that the money was not there, and that he had used it to that amount. He never paid it; he simply appropriated that large amount for his own use.

THE STATE OF MISSISSIPPI,
Colfax (now Clay) County:

BOARD OF SUPERVISORS, *October (7) Term*, 1875.

Be it remembered that at the above-stated term of the honorable board of supervisors of said county, an order was then and there made by said board, which was in the following words, to wit:

This day came on to be examined and considered the treasurer's report, handed in by Vincent Petty, treasurer of Colfax County, Mississippi; and after examination of the same, the board find, from said report, a balance of $8,853.59 on hand, of court-house and jail fund, and demanding of said treasurer the production of said balance, as shown by said report; and he, the said Vincent Petty, treasurer, having failed to

produce said balance shown by his report, or in any legal manner account for the same, it was ordered, upon the motion of J. H. Jackson, that said report be rejected.

I, J. S. Carothers, clerk of the chancery court and ex-officio clerk of the board of supervisors in and for the county and State aforesaid, do hereby certify that the above and foregoing is a just, true, and perfect copy of an order of the said board of supervisors, made and entered at their October (7) term thereof, A. D., 1875, as the same appears of record in my said office, in minute-book 1, page 305.

Given under my hand and official seal at West Point this 26th day of June, A. D. 1876.

[SEAL.] J. S. CAROTHERS, *Clerk.*

There is still another copy of the minutes which I will submit, which shows that he was required to take an oath that he had not speculated in the county funds; and he declined to take that oath. Here is the evidence of that.

Q. Has he been indicted for this?—A. Yes, sir; and here is the evidence of that; here are five bills against him:

THE STATE OF MISSISSIPPI,
Colfax (now Clay) County:

BOARD OF SUPERVISORS, *October* (7) *Term*, 1875.

Be it remembered, that at the above-stated term of the honorable board of supervisors of said county, an order was then and there made by said board, which was in the following words, to wit:

At the commencement of the examination of the treasurer's report, the president of the board required the deputy treasurer or clerk of Vincent Petty, county treasurer, H. H. Harrington, to take the following oath, which he declined to do:

"*The State of Mississippi, Colfax County, board of supervisors, October* 7, 1875:

"Before me, Henry Hardy, president board supervisors of Colfax County, Mississippi, personally came H. H. Harrington, lawful deputy of V. Petty, county treasurer of Colfax County, Mississippi, who makes oath that he paid the full amount of all vouchers produced in his report of this date, in money, or received the same in payment of dues to the county; and that he has not, directly or indirectly, speculated therein, or in any warrants included in said report.

"Sworn to and subscribed this October 7, 1875."

Whereupon the president of the board of supervisors ordered the following indorsement, made upon the oath and marked "Filed," as follows, which is accordingly done:

Indorsed: "This oath was required to be sworn to by the deputy treasurer, H. H. Harrington, by the president of board of supervisors of Colfax County, Mississippi, and he declines to take the oath required of him.

his
"H. H. + HARDY,
mark.
"*President Board.*"

Filed October 7, 1875, with report of treasurer.

I, J. S. Carothers, clerk of the chancery court and ex-officio clerk of the board of supervisors in and for the county and State aforesaid, do hereby certify that the above and foregoing is a just, true, and perfect copy of an order of the said board of supervisors, made and entered at their October term thereof, A. D. 1875, as the same appears of record in my said office, in minute-book 1, page 305.

Given under my hand and official seal at West Point this 26th day of June, A. D. 1876.

J. S. CAROTHERS, *Clerk.*

[SEALS.]

Circuit Court.—March Term, 1876.

THE STATE OF MISSISSIPPI,
Colfax (now Clay) County:

Indictments found against H. H. Harrington, late chancery clerk of said county, are numbered as follows:

No. 304. The State *vs.* H. H. Harrington; offense, embezzlement.
No. 305. The State *vs.* H. H. Harrington; offense, grand larceny.
No. 306. The State *vs.* H. H. Harrington; offense, alteration records.
No. 307. The State *vs.* H. H. Harrington; offense, embezzlement and grand larceny.
No. 308. The State *vs.* H. H. Harrington and V. Petty, county treasurer; offense, embezzlement.

I, John A. Stevens, clerk of the circuit court in and for said county, do hereby certify

that the preceding is a true statement of the number of indictments against H. H. Harrington, now pending, and on file in my office.

Witness my hand and seal of office, at West Point, this June 26, 1876.

[SEAL.] JNO. A. STEVENS,
Clerk.

He is now under bond. This brother of his (J. T. Harrington) who testified here, I can show by any quantity of witnesses that he is a man of notoriously bad character; that he has been indicted for horse-stealing and for kidnapping negroes—not indicted for kidnapping negroes, but he had been charged with it, and a white man and a negro caught him at it. That was during the war. After the war he brought a suit for damages against one Anderson Beam, for $20,000 damages, for making these charges against him, and the suit was finally dismissed by J. T. Harrington at his own expense. As to that Harrington, I can bring fifty or a hundred men, if necessary, here.

By the CHAIRMAN:

Q. State what you know of your own knowledge.—A. I am stating as to his character of my own knowledge. I am just speaking of the character of the man.

By Mr. BAYARD:

Q. Of his reputation in the community?—A. Yes, sir; the general bad character of the man; that he is regarded as a horse-thief. I have no doubt I can produce witnesses who would testify, any number of them, that they would not believe him on oath—80 or 100 men. I can name the party that caught him trying to kidnap a negro—William Nixon.

THE MOST PEACEABLE ELECTION SINCE THE WAR.

Q. On the day of the election, were you in town?—A. Yes, sir.

Q. What was the character of that election?—A. The most peaceable one that we had since the war.

Q. Nobody was prevented from voting as they wished?—A. Not a single man.

Q. Were any voters intimidated?—A. Not at all.

Q. Was there any collision during the canvass between blacks and whites in your county?—A. None that I know of.

ABOUT HARRINGTON AND KIDNAPPING NEGROES.

By the CHAIRMAN:

Q. Were these negroes kidnapped by Harrington during the war?—A. Yes, sir; so reported.

Q. While slavery existed, did you understand that he stole those negroes for the purpose of selling them again?—A. I do not pretend to say what he stole them for; I say that is the report. At the beginning of the war he was a violent secessionist, and made violent secession speeches at Buena Vista. There was a witness in town who said he heard it.

Q. Did you hear it?—A. No, sir; but I have heard it before, that he was a violent secessionist at the beginning of the war.

Q. Where were you at the beginning of the war?—A. In Mobile, Ala.; I formerly lived in this part of the country years before the war. I lived here part of the time of the war and then went to Mobile.

Q. Are you a native of this State?—A. I am an Alabamian.

Q. Was there anything more in the kidnapping than giving aid and succor to negroes who might be running away from their masters?—A. Nothing more that I know of. That was the character the man had.

Q. That he gave aid and succor to negroes who were escaping?—A. I heard gentlemen saying that there was a meeting held by the citizens in his neighborhood to take action on the question as to whether or not they would permit him to live in that vicinity.

Q. Was he not then known as an abolitionist, or a man who sympathized with anti-slavery men?—A. Well, I do not know that he was known as an abolitionist; all that I meant in regard to his character is, that I understand that he was considered a thief.

Q. And that character is derived from the circumstance of his kidnapping negroes, as you please to term it, which you have described as giving succor and aid to the negroes?—A. I do not think it would be possible that he could have so much interest in them.

Q. Don't you know that he never had the reputation of proposing to steal them to sell to other persons?—A. I never heard that he had.

Q. You understand he never did have that reputation?—A. No, sir; I am only speaking of his reputation.

Q. He was an opponent of slavery?—A. No. sir; he had no such reputation. He was a violent secessionist during the war.

Q. He was stealing negroes; what did he do with them?—A. I do not know; that was the character he had.

Q. He never had the reputation of stealing them for gain?—A. No, sir. We never stop to inquire what he intends to do with them when he is caught in such a crime. I did not live in the community at the time. I was only giving the man's reputation in the community, as I understand it.

By Mr. BAYARD:

Q. The question is, whether this man sought to free these blacks for the sake of making them free or whether he took them for the sake of gain to himself?—A. I have never heard that motive attributed to him.

KIDNAPPING NEGROES AFTER EMANCIPATION PROCLAMATION.

By Mr. CAMERON:

Q. At what time did Dr. Harrington, as you say, steal those negroes?—A. It was 1864, I think.

Q. After the proclamation of emancipation by the President?—A. Yes, sir; I think in 1864.

Q. I will ask you whether you are aware of the fact that the negroes were not slaves then?—A. I was aware that Mr. Lincoln had issued an emancipation proclamation.

Q. You knew of the issuing of that proclamation?—A. Yes, sir; but we did not recognize it, you understand.

Q. You subsequently did recognize it?—A. We did, of course.

Q. Then all he was guilty of was the stealing of those negroes after the emancipation proclamation; is that all, sir?—A. That is what he was guilty of in 1864.

Q. And upon that you charge him with being a thief; do you not?—A. No, sir; I have not charged him. I say that is the reputation the man had in the country, and this is what was reported about him. I stated that I was in Mobile.

Q. But the only case of larceny you have heard of his committing was the stealing of negroes?—A. No, sir; he was charged with stealing horses.

Q. When?—A. In 1864, or about that time.

Q. Was he indicted?—A. I think he was; I do not know whether he was or not. That was my information.

Q. Where?—A. Houston, Miss., in Shannon County. That was my information, that he was indicted.

Q. Do you know whether he was ever tried and convicted?—A. He was not tried, because, just after the war, I think, the court-papers of Houston had all been burned. The court-house was burned up there, from some accident or circumstance, about the final winding up of the war; the destruction of these papers—the indictment was set aside. After the war, in 1868, it is generally understood and recognized that this man had stolen horses and negroes during the war—horses after the war. I think it was all in 1864.

Q. He was not a candidate for any office, was he?—A. He was in office.

Q. I asked if he was a candidate?—A. He was in office. He acted by appointment by the governor. He was superintendent of education, and it was understood in the community that when he was elected that he was to run the circuit clerk's office, which was being run for by a negro; and it was understood that he would run the office, just as his brother was running the chancery clerk's office and the treasurer's office.

Q. Was he a candidate for election on the republican ticket last fall?—A. No, sir; he was an officer at that time.

Q. Was he a candidate for election on the republican ticket last fall?—A. No, sir; O no. He was an officer at the time.

THE BROTHERS HARRINGTON.

Q. I ask you if your object in stating that he had stolen negroes after they were emancipated, and that he was accused of stealing horses, was to satisfy the committee and the country that he is not worthy of credit; was that your object?—A. Yes, sir; my object in stating that, as I stated—I understand that Harrington has been before this committee, and I have been shown some memoranda of the nature of his testimony, and I want this committee to understand the character that the man had in the country. That is my object for making this statement about him. I want you to understand the character of the man that was a leader in the political campaign in 1875. He and H. H. Harrington are the leaders of the party; they were the leading spirits; and they were running and manipulating the affairs of our county almost exclusively. This H. H. Harrington had stolen this $8,853 from the county funds; he and his brother were the leading spirits among the republicans; they had the biggest influence with the negroes; and when these facts were made known in regard to Harrington, the negroes were going, even then, to advocate his claims in the election.

Q. Were you a member of the democratic committee in that county?—A. Yes, sir; I was a member of the central executive committee.

NO THREATS OR INTIMIDATION.

Q. Do you know as a fact that the road leading out of West Point was not at any time picketed?—A. Not to my knowledge. I think it very—no, sir; I do not believe they were.

Q. I do not ask your belief. Do you know of your own knowledge that no republican was prevented from voting in the county by threats or intimidation?—A. No, sir; I could not say that for the whole county, sir.

Q. I understand you to say so. I supposed, of course, that you could not say it.—A. O, no, sir; I could not say that. There was none within my knowledge, is what I aim to state. There was no intimidation or threat to prevent any one from voting, within my own knowledge.

Q. How many polling-places in that county?—A. Five.

Q. Only five?—A. Yes, sir.

Q. How many votes were polled on election-day?—A. I was not at the polls in 1874.

Q. How many votes were polled at your precinct?—A. I think in the neighborhood of seven hundred; I would not be positive; it is the largest box in the county.

Q. What length of time were you in the neighborhood of your polling-place on election-day?—A. I was one of the officers of the election, and was in most of the time. Once or twice I stepped out of the room. I was in most of the day. I was proceeding to state something further in regard to the character of the men who were in office before the election.

ABOUT VINCENT PETTY AND OTHER REPUBLICAN CANDIDATES.

By Mr. BAYARD:

Q. Go on and state what you wish.—A. One of the men who was nominated for the legislature by the party was indicted for the seduction of a girl about sixteen years old; the indictment was brought after his nomination, and he fled the country. He was afterward, since the election, arrested and brought back, in October, I think, and escaped from the jail. That was one of the candidates who was nominated. He was on the ticket for the legislature.

This man, (Vincent Petty,) as I stated, withdrew from the ticket, and a party afterward, named A. A. Shattuck, was put on, and he withdrew and declined to run the race out, and a negro by the name of Frank Spool, I believe, was nominated.

A negro by the name of Moses Dean was beaten, he stated, by four negroes, the day after the election, for voting the democratic ticket. He came in and I washed his face, which showed that he had been considerably bruised.

Mr. Nixon, who was the nominee of the party for sheriff, on the streets of West Point denounced this man, J. T. Harrington, as an outlaw and a thief. During the campaign Mr. Pruett, who was afterward out on the ticket in the place of the man who had run off, denounced H. H. Harrington and this fellow Nixon as being a couple of scoundrels that would drag down any ticket on earth. A party could not elect any ticket with their names on it. Mr. Caradine, who was a former member of the legislature, and who testified before this committee the other day, made several democratic speeches during the campaign, and advocated the abandonment of his party-ticket on account of the corruption and dishonesty that was on the ticket. The two supervisors at the campaign had three negroes on it and two white men. Two of these negroes were at that time under indictment for making improper allowances as members of the board of supervisors. One of the same negroes had before been indicted or tried for bribery, and when the jury brought in the verdict of "not guilty," the evidence was so palpable and plain that Judge Orr, who is one of the most talented and distinguished judges of the State, and a member of the republican party, denounced the jury as unworthy to be jurors, and ordered that their names be enrolled on the records of the court as men incompetent and unworthy to sit on the jury, and instructed the sheriff never to permit those men to be introduced on the jury again while he held a position as a judge in that court.

Q. Harrington stated here that there were no United States flags exhibited on the day of the celebration. What have you to state about that?

The CHAIRMAN. He did not state that.

ABOUT THE FLAGS AT THE ELECTION.

Q. In order that we may know the facts, you may state what you discovered there. I thought that he stated that there was no United States flag, and he did say that there were flags that were very like confederate flags; and he left the impression, as I understand, and meant to leave the impression, that there were no United States flags. —A. The flags he supposed to be confederate flags were just flags of red calico and white bleached domestic, which were hung by a Frenchman in our town after the style, as he said, of ornamenting the streets in Paris on public days; and he made a beautiful display of white calico and red calico, but the stores and all the public buildings were ornamented with United States flags—five hundred of them, I reckon—and a long procession of horsemen, and very many of them had United States flags attached to their horses' heads, and the children all over town had little flags and were at the windows and doors saluting the procession as it passed by. It would look rather bad to let that go without a refutation.

Mr. Harrington also stated something in regard to a speech by Mr. Barry. I heard that speech, and no such language was used by him as was attributed. All the addresses made to the negroes were of the most conciliatory character. The negroes were treated with the greatest degree of kindness by every man, so far as my knowledge goes. I believe hundreds of these men who came here would testify that they were not intimidated. The white radicals of the county were denounced in the severest terms. The negroes were not intimidated. They may have construed the extraordinary enthusiasm of the white people in that way; they might have regarded that as a species of intimidation, but there was nothing of that kind, no threat made that I know of. The the night before the election I wrote a letter up to Palo Alto, where there had been the greatest apprehensions that trouble might arise, and made a special request that no riot be permitted—that they avoid it by all means in the world. And I sent messengers out and instructed managers of elections, and the parties who were supposed to be in power, so far as able to do so, in every case to avoid a riot. I have always acted on that policy, and always wanted to avoid one myself, so far as I am concerned. I have a very charitable and good feeling toward the colored people, and have had a great deal of business with them, and have been treated very kindly by them in a great many cases; and I believe that I am not saying too much when I say I am generally well liked by them all. I do not want any one to think that I have any spirit of revenge in my mind toward the negroes, and no unkind feeling toward them. It was not the poor black men, but the men who were leading them, that we were really fighting in the campaign.

LEX BRAME—CLAY COUNTY.

ABERDEEN, MISS., *June* 27, 1876.

PERSONAL STATEMENT.

LEX BRAME sworn and examined.

By Mr. BAYARD:

Question. Where do you reside?—Answer. At West Point, in Clay County.

Q. What is your profession?—A. I am a lawyer by profession.

Q. What office do you now hold?—A. I am chancellor of the sixth district of Mississippi.

Q. When were you appointed?—A. On the 14th of April.

Q. Did you take a part in the canvass of last year?—A. I did, sir, and a very active part.

Q. With which party were you acting?—A. With the democratic party.

Q. Did you attend many of the meetings during the canvass?—A. Yes, sir, I did; I made a number of speeches in the canvass; I made thirty-three speeches.

Q. Did you ever attend a republican meeting with forty or fifty democrats accompanying you?—A. I have, sir.

Q. Did you ever threaten in a public speech—make the threat—that you would carry the county or kill every nigger in it; or words to that effect?—A. I never did, sir.

NO ROADS PICKETED.

Q. During the canvass did you know at any time, either before or after or during the election, that the roads leading out of West Point were picketed by armed men?—A. I did not.

Q. Or by men not armed?—A. I did not, sir.

Q. Did you ever hear of such a thing there?—A. I have heard that charge, but I don't know of anything of the kind, though.

Q. Have you any reason to believe that such a fact is true?—A. No, sir; I have no reason to believe it, because I have no evidence upon which to base any such supposition.

NO COLLISIONS—CONCILIATION—NO INTIMIDATION.

Q. During the canvass, do you know of any collisions between the white and black people, or any disturbance?—A. None whatever, sir; no collision.

Q. Did Mr. Barry speak with you?—A. Not often; I spoke with Mr. White.

Q. How often did you speak with Mr. Barry?—A. I spoke with him on two occasions.

Q. What was the character of his address?—A. He was a democratic speaker. His addresses were about of the same character as mine—of a conciliatory character with reference to the negroes. They were bitter, of course, against the candidates and officers of the county. They were almost entirely against them. We made charges against them which were alleged in the papers.

Q. During the canvass, do you know of any collision between white and black people, or any disturbance between them?—A. No, sir; I know of none.

Q. Have you knowledge of any intimidation practiced toward any class of citizens to prevent their voting in that county?—A. No, sir, I have not.

Q. Where were you at the time of the election?—A. I was in West Point.

Q. Did you witness the election?—A. I did.

Q. What was the character of that election as to peace and good order?—A. It was very quiet; much more quiet than any election I have ever seen.

Q. Was anything done there to prevent the voters from the free exercise of their right of suffrage?—A. Nothing that I know of.

THE YOUNG MEN ARMED WITH PISTOLS.

By the CHAIRMAN:

Q. Were there any armed men at West Point during election-day?—A. I think, sir, there were young men there with pistols.

Q. In any organization?—A. None that I know of, sir.

Q. When did they come into town?—A. The young men?

Q. Yes, sir; these young men that were armed?—A. They were young men who lived there; clerks and other young men about the town.

Q. They were generally armed, were they?—A. Yes, sir; these young men who were about during the campaign with us, and the band, they had pistols.

Q. They went about with you at the meetings?—A. Sometimes.

Q. You generally had some of these young men?—A. No, sir; not at the speaking that Mr. White and myself made; we made the speeches to the negroes almost exclusively, and we were most of the time alone.

Q. Sometimes these young men were with you, perhaps?—A. Yes, sir; they were sometimes with us.

Q. Was there any organization among these young men that you know of?—A. None except a general organization that all of us belonged to.

Q. You had a club?—A. Yes, sir.

Q. You belonged to it yourself, perhaps?—A. Yes, sir; I belonged to the club.

CARRIED A DERRINGER HIMSELF.

Q. Did you usually carry arms when you went to these meetings?—A. No, sir. I would correct my statement in that respect. I frequently had a pistol that I carried in my pocket. Sometimes I had that, and sometimes I did not. Perhaps I would state that I had it most of the time during the canvass; but not particularly for any special occasion.

Q. It was rather a general thing than for any special purpose?—A. Yes, sir. I had a Derringer, that I carried in my pocket most of the time.

Q. How many of these young men were with you at any one time, as far as you remember?—A. At one time there was a barbecue over in the western part of the county, and the brass band went over, and we took along a little piece of artillery—a little short gun—and there were a number who went over to the barbecue, and there were a number of the people in that vicinity who came over there.

Q. These young men that you speak of from the club were there with you?—A. Some of them were there.

CANNON-FIRING AT THE BARBECUE.

Q. Was there any firing at this barbecue?—A. There was firing of this piece of artillery I mentioned.

Q. You had no joint discussions, did you?—A. No, sir; I had none except once, upon one occasion.

Q. The town of West Point might have been picketed without your knowing it, I suppose, as you were away so much of the time?—A. Yes, sir; I was not in town a great deal.

WITNESS DELIVERED THIRTY-THREE SPEECHES.

By Mr. McMILLAN:

Q. You say you were very active in the campaign?—A. Yes, sir; as active as I well could be.

Q. How many speeches did you make?—A. I made thirty-three, I think.

Q. Did you attend all the political meetings of your county?—A. Well, no, sir; not all of them, because some of them were held while, perhaps, we were speaking in a remote part of the county. Mr. White and myself were endeavoring to persuade the negroes to vote with us,

and went around and spoke to them at little school-houses in remote portions of the county. Sometimes there would be meetings that I was not present at, when we were away speaking at other places; but generally I was present.

Q. Then you took an active and leading part throughout the campaign?—A. Yes, sir; I can say that I did. I shut up my office two months beforehand. The country was in such a desperate condition that I considered that it was necessary; and I used all fair and honest means within my power to defeat the ticket that was opposed to us.

Q. How long have you been practicing law?—A. I have been practicing about six years; regularly about five or six years. I received my license before that.

Q. When were you appointed chancellor?—A. On the 14th of April.

Q. Last April, succeeding the election in which you took such an active part?—A. Yes, sir.

Q. By whom were you appointed?—A. By Governor Stone.

Q. The present executive?—A. Yes, sir; the present governor of the State.

THEY WERE OF A CONCILIATORY NATURE TO THE NEGROES.

I want to state, in reference to the character of my speeches, that they were of the most conciliatory nature. My argument to the negroes was that they had been free for ten years, and that they were not advanced in any interest; that they came to the speaking in rags; and I endeavored to show to them—and we did show, as their votes showed afterward—that it was for their interest to co-operate with us; but I did not at any time at the election say anything unkind, as I had no unkind feeling toward the race.

BITTER TOWARD THE COUNTY OFFICE-HOLDERS, AND WHY.

Q. But you were very bitter toward the whites who were republicans?—A. No, sir: not especially toward republicans, but to these men who were attempting to control our county, a number of whom had been indicted, and indictments were pending against them then. The sheriff of the county had been indicted, and the supreme court had affirmed his conviction; and the governor of the State within two hours after the affirmation of the supreme court pardoned him and re-appointed him to office, and he is still in office. The board of supervisors were all under indictment, some for bribery, and all, I think, for unlawful allowance of claims. I was as bitter as I could be with respect to those men, and made the whole attack on them; but I endeavored to prevent anything like trouble between the whites and blacks, because I knew that it would invalidate the election if we succeeded by unfair means.

Q. What became of these indictments against the board of supervisors?—A. I think some of them have been dismissed.

Q. Were they not all dismissed?—A. I think they have been.

Q. Were they not all dismissed upon the admission or theory that there was no moral wrong, no unlawful intent on the part of the supervisors?—A. No, sir; I can say in reference to that, that I was active in securing, two years ago, the indictment of some of the members of the board, and the circumstance that called my attention to it particularly was this: I was agent for a plantation, and saw on the minutes of the board an order for an allowance in favor of the owner of that place for timber; and it was against the orders of the owner that any timber should be cut. I investigated this, and found that there was $140 allowed there without any application. The timber had not been used, and I found upon investigation that great frauds had been committed;

and upon further investigation the grand jury indicted these parties, and I returned the warrants back to the supervisors and had them canceled.

Q. Do you say there was any corrupt intent in that allowance?—A. I could only state that as a matter of opinion. They were issued entirely without authority.

Q. And your client was enjoying the benefit of the issue?—A. He would have been if he had received them.

Q. Did the supervisors derive any benefit from that issue?—A. I don't know that they did.

Q. Was it not a mere error?—A. I don't know; I have no means of knowledge. I found the warrants on the warrant-book ready to be issued, and for fear that they would be issued as other warrants—I had heard that fraudulent warrants had been issued—I took the warrants out of the book and receipted for them as agent, and after the investigation was finished I returned them back to the board, on the ground that they had been wrongfully issued. I took them to prevent anybody else getting them out of the warrant-book.

Q. Had you then, or have you now, any reason to suppose that the supervisors in the allowance in that particular case were impelled by any improper motive?—A. Well, sir, I could not say that I have any reason to suppose that.

Q. Had they any personal relations that you know of with your client?—A. No, sir; because he was a non-resident, living in Alabama.

Q. Had you any reason to suppose that the board of supervisors or any friends of theirs, directly or indirectly, could have derived any benefit from the issue of those warrants?—A. They could have taken the warrants out of the books if I had not got them.

Q. Could they have taken them without adding to that other crime the crime of perjury?—A. I believe not, unless the chancery clerk had violated his duties, as he has been charged with having done and is now under indictment for.

Q. But if they had taken the warrants—if the warrants had not been delivered to you, the supervisors or whoever was engaged in collecting the taxes would have collected the whole amount and allowed the county, and, if acting honestly, for the whole amount of the taxes assessed?—A. The warrants were issued without any proof; they were allowed for timber that was never used; the location was in the warrants and on the minutes of the board, and after I discovered that they were wrongfully issued, I returned the warrants and had them canceled. I can state in reference to a member of the board of supervisors this transaction: Our county was a new county, formed of a portion of this county and others, and there was an act passed by the legislature allowing a transcript of the records, and I heard a man go before the court on the trial of an indictment of one of the members of the board of supervisors, and swear that he paid that member of the board of supervisors $25 to secure him his appointment to the office of transcriber of the records, and that man was the republican county superintendent of education; and notwithstanding the fact that he swore to it before the jury, a jury composed mostly of negroes, and that was the only evidence in the case, and there was no evidence brought to impeach the credit of this party, the jury acquitted him; and the judge, a republican judge, Judge Orr, discharged the jury, and ordered the sheriff to summon him a respectable jury, and censured them very severely; and this republican county superintendent, the party who had sworn to this, made good his escape, got on the train, and deserted the office because there were

steps being taken to have him arrested for the crime of bribery, which he had established by his own evidence in open court. And then there were these—I don't know how many—indictments against the president of the board of supervisors, who was also a negro, and that indictment was, of course, dismissed when this man made his escape.

Q. What sheriff was that that was indicted and convicted?—A. His name was Shattuck.

Q. What was the indictment for?—A. For suffering prisoners to escape.

Q. Was he convicted for that?—A. Convicted by a jury.

Q. When was he replaced?—A. He was charged with several offenses, and this indictment was sustained, in the early part of 1875, I think, and he took an appeal to the supreme court. The judgment of the circuit court was that his office should be vacated for willful neglect of duty, and he appealed to the supreme court, and the supreme court last fall, perhaps, affirmed the decision of Judge Orr, of the circuit court, and within a very short space of time—I have heard it stated within two hours, but that is a mere matter of opinion—a telegram came that Shattuck had been pardoned by the governor and re-appointed to the office that he had just been turned out of. He was one of the men against whom these charges were made that I mentioned before, but that was not alleged to be so criminal as the other matters.

By the CHAIRMAN:

Q. That was willful neglect of duty?—A. Yes, sir; that was the charge against him.

By Mr. CAMERON:

Q. You do not mean to say that he was pardoned by Governor Ames?—A. It may have been by the lieutenant-governor, but Governor Ames was, I know, the governor. Lieutenant-Governor Davis may have granted the pardon.

POSTSCRIPT TO THIS TESTIMONY.

[Subsequently, on the same day, Judge Brame re-appeared and made the following statement:] I would state that it is my recollection that the charge against Mr. Shattuck did not involve any willful criminal act on his part. Since I was before the committee I have talked to a gentleman who knows more of the facts than I do, and he has refreshed my recollection; and it is now my recollection that Mr. Shattuck was indicted for the act of a subordinate; that he was not directly connected with the keeping of the prisoners. He was sheriff of the county, and, by virtue of his office, jailor.

By the CHAIRMAN:

Q. The jailor had charge of the prisoners?—A. Yes, sir; the deputy was his jailor, and he had immediate control and charge of the prisoners.

Q. There was an escape from the jailor?—A. There was an escape from the jail-house. Mr. Shattuck occupied a room in the front part of the jail, which is a new building. The jail proper is in the rear of the house containing the room that he occupied.

JOHN P. MATTHEWS—COPIAH COUNTY.

JACKSON, MISS., *June* 13, 1876.

PERSONAL RECORD.

JOHN P. MATTHEWS sworn and examined.

By the CHAIRMAN:

Question. In what town do you live?—Answer. Hazlehurst, Copiah County.

Q. How long have you resided there, and what is your occupation?—A. I was born and raised in the county, and resided at Hazlehurst some three years. My family live there.

Q. What is your occupation or pursuit?—A. I was sheriff there.

Q. For how long a time?—A. I have been sheriff there five years.

Q. Do you now hold that office?—A. No, sir.

Q. When did your term of office expire?—A. The 1st of January last.

Q. Were you in any way in the military service in the late war?—A. No, sir.

Q. What is your age?—A. Thirty-one years old.

CHANGING PRECINCTS AND THE PURPOSE OF IT.

Q. Have you any knowledge of what took place in Copiah County in the canvass for the election of 1875? and if you have, you can state in your own way to the committee what that knowledge is.—A. The first I know of any excitement in our county was about the appointment of registrars. I appoint one, under the laws of this State, and the gentleman I appointed, he came to me afterward and told me he declined to serve; he did not think they meant to do what was right. They changed the precincts and formed a good many new ones.

Q. Who was he?—A. Elijah Wright. I asked him what they would do that was wrong. He told me he thought from the changing and forming these precincts that they had been doing, that the purpose was they wanted to have an unfair thing of it, and he would not serve.

Q. Was he a republican or a democrat?—A. He has always been a democrat. He sometimes, occasionally, votes for some republicans, and sometimes democrats. He is a democrat, and claims to be a democrat.

Q. Did he state to you, or are you of your own knowledge able to state to the committee, what this change was in the precincts of which you have spoken?—A. Yes, sir. There were in different localities more republicans than democrats, and he stated they were putting some election-boxes within a mile or two of each other, and he thought the probable object was in having so many precincts, the intention was, to get the names from the boxes sent to them and send them to the other boxes to vote. By having them divided up, they could get them to vote the democratic ticket. That is what he told me. The man Judge Peyton first appointed, he removed him and placed Mr. Horne in his stead; but he had taken possession of the box, (Mr. Horne had,) with this other one, and Judge Millsaps removed that man.

Q. One registrar was appointed by the sheriff?—A. Yes, sir.

Q. One by the chancellor of the district?—A. Yes, sir.

Q. And one by the circuit judge of the district. Chancellor Peyton removed his, and then Judge Millsaps removed his, and Mr. Wright declined?—A. Yes, sir.

Q. What was done then?—A. Judge Peyton appointed Mr. Horne, and he and Peyton's brother, the man Millsaps had first appointed, taken

the box and went to registering. Millsaps appointed Bondurant in place of Peyton, and I appointed a man by the name of Berry.

Q. Without going into the particulars as to what they did, was there anything done of which there was complaint, or which you believe or know to have been improper?—A. No, sir; I know of nothing improper, only they enjoined Bondurant and Berry and myself; served an injunction on us to keep us from interfering or having anything to do with the boxes, and we never did. I never had anything to do with them before or afterward.

Q. There was a registration made of the voters just by those two men; they went on and registered. Was there anything else occurred in that county that was unusual?—A. There was a general bad feeling then gotten up; they put out a great many reports that they were inciting the negroes, and that they had bought arms. That was what I heard. I never could find out who put this report out. On the 11th of September John R. Lynch was going to speak at Hazlehurst.

Q. Was he a candidate for Congress?—A. Yes, sir; and it was reported all over the county that the negroes were going to Hazlehurst armed on that day, and they got up a good number of arms, and sent to New Orleans, I think, for arms.

THE DEMOCRATS RECEIVE BOXES OF ARMS.

Q. Who sent?—A. The democrats; at least they received, on the evening of the 10th, several boxes of arms, muskets.

Q. What kind?—A. Muskets, and bayonets to them; Army guns. I don't know what kind of guns; shot-guns or rifles. I have seen them, and have had some of them in my hands, but I do not know what kind of guns they were. And they came to me saying what they had heard, and they told me that they had understood that I had sent up for all the negroes to come in there armed. I told them that there was nothing of it.

Q. Who came to you?—A. I do not remember how many, but a good many. Several people. Mr. Cooper, he was chairman of their committee, and I talked with him. I do not know whether at that time or not.

TALK ABOUT A WAR OF RACES.

Q. Chairman of the democratic committee?—A. Yes, sir; Tim. E. Cooper. I talked with him about the matter some. I told him he knew me better than to think that I would do anything of that kind. I stated to him when they talked about a war of races, I would be always with my race, but I could not be and will not be a democrat. That was the only difference between us. As if I would incite the negroes there, when my family would suffer as well as other people, and that would not do; and I told him I apprehended no danger at all unless they started it; and all I asked was to close their houses there and keep their rowdy fellows in their places, and there would be no danger from the negroes. Some one furnished me with a list, to appoint a lot of deputies to keep the peace. I looked through the list and told them I could not do that; that I could not appoint men that I believed would raise a row; but if leading citizens, men who had any interest, and whose families were there, would accept of an appointment I would appoint them, but I would not appoint these rowdy fellows. If they wanted peace I would appoint such men as I thought would try to keep the peace. A great many negroes told me that they were turned back on the roads. There were armed men there all over the county, I was told, I did not see them; and they turned a great many negroes back and would not let them come to the speaking. There was a list of

appointments that was up there for Lynch to make speeches at—speeches in the county—but I told him I did not think it would be safe for him to try it.

Q. Was there a meeting held there on the 11th or 12th of September?—A. Yes, sir.

Q. Were you present?—A. Yes, sir.

Q. What occurred?—A. Nothing at all. Everything was quiet. I never saw a more quiet meeting in all my life.

Q. Did Mr. Lynch speak?—A. Yes, sir.

Q. Did anybody else speak?—A. Yes, sir; I made a little speech myself; that was all.

Q. Was there a general attendance?—A. Yes, sir; a great many. I suppose there was some—I guess there was 800 persons there.

Q. Now, what made you advise Mr. Lynch to abandon his appointments in that county?—A. Well, from the reports, and the excitement that seemed to be among the people in sending out to buy arms, and talking about their rights, and seeing, too, that there was talk about having a riot.

Q. Are you acquainted with the negroes in the county who were looked upon as the leaders among the negroes?—A. Yes, sir.

Q. Do you think you have the means of knowing whether they were armed with aggressive intent?—A. No, sir; there was no intent. I do not think there is a negro hardly in the county—there might, probably, be a few bad negroes occasionally—but I don't think there are any of the leading negroes in the county. The chairman of that democratic committee, Mr. Seals, none of them but I think would have done anything in the world for him. I don't think he would have been hurt, or any man I know would harm any of them. Of course there were some bad men.

Q. To what extent were arms brought into the county?—A. I could not say, exactly. I saw five boxes of guns myself.

Q. At Hazlehurst?—A. Yes, sir; they were brought there upon the cars.

Q. How large is Hazlehurst?—A. I suppose 1,600 inhabitants.

Q. Were these guns destined for clubs throughout the county?—A. I saw one wagon-load going out of the town.

Q. Were any representations made to you personally which led you to give Mr. Lynch that advice?—A. No, sir; I do not think there was, only just from hearing men talk; none given to me.

Q. Did you have reports from various precincts in different parts of the county as to the state of public opinion?—A. Yes, sir.

Q. Did the character of those reports have anything to do with the advice you gave?—A. Yes, sir; the registration was going on at the time, and one of my deputies was down at Burdenton, and there seemed to be a good deal of bad feeling. Men seemed to be talking about a riot, and that was going to be at Hazlehurst on the 11th; and I met Mr. Horne, who came to me and asked me if I was still alive. I told him yes. He told me he did not expect to see me any more.

THREATS AT THE ELECTION.

Q. Was there any other fact which you recall concerning the canvass or the election?—A. On the day of the election I was at Beauregard, and on the day of election, that morning, a gentleman by the name of Carter—I had no acquaintance with him, but knew him—came to me before the polls were opened and spoke to me, and says he, "Look here, you must leave here and take your damned tickets with you, or I will set you up," or "you will be set up;" and I remarked to him I had

come there for a lawful purpose, and I did not think I could leave unless they would haul me away. "You can overpower me and carry me away, but I am not going;" and I then spoke—I forget what gentleman it was I spoke to, but I think it was King—about that. I told him I had been ordered away. Nothing more occurred until after they had been voting some hour I suppose, and about twelve or fifteen negroes came walking up, two and two. They came up to the gallery in front of the house where they were voting in. Bridewell, I think it was, told them to halt. I was standing upon the steps, and they halted, and he commenced cursing, and directed his conversation to me. I was standing on the steps. Says he, "God damn you, you have marched up to the polls with bayonets once, but you cannot do that now.' Says I—I told him I was not marching them up to the polls—"They have a right to come up and vote like other men. Your crowd is all by itself, and they can stay by themselves if they have a mind to," I replied. He kept on cursing, and I told him, "You have got me in your power, but you would no more say those words to me than you would see your black box before you would talk that way, if I had any showing with you." Mr. Cook came up then and stood by me. Some one drew a pistol. Some one saw the pistol pointed at me. I don't know. The crowd of some seventy-five or eighty seemed to be very much excited, and Mr. Cook and another gentleman came talking and stood side of me on the steps, and carried on a talk there some little while, while he was cursing. Mr. Cook's name is W. W. Cook.

Q. Was your conversation hostile or pleasant with him?—A. Very pleasant. I have always been on intimate terms. We have never had hard feelings between our families.

Q. Who was Mr. Carter, his standing, and position?—A. I do not know what he follows. He lived there about Beauregard. I do not know what he follows.

Q. Is he an influential and responsible man, a leading man in the party?—A. Yes, sir; he is. I do not know that he would be called and considered a leading man, but he is a man of good standing. He is a clerk there in some drug-store, I think. I think that is what he follows.

Q. Mr. Bridewell—what is his position?—A. He is a prominent man there and a leader of the party, or has been.

Q. In the democratic party?—A. Yes, sir; he was a candidate in 1873 for the legislature, and elected.

Q. Were these men armed?—A. Not that I know of. I only saw one pistol. I suppose they all had their pistols. Generally they all carry them in this country.

INTIMIDATION AS TO VOTING.

Q. What else occurred, if anything you recollect?—A. I saw the object there was to disperse the negroes, so that they could get them to vote as they wanted. I saw Mr. Fairman carry in one; that is, walk inside with him. The negro had his certificate of registration, and Mr. Hamilton was one of the inspectors, and Mr. Fairman handed the ticket to him. It was a negro that had lived with me, and I knew exactly how he wanted to vote. I just asked if that was the programme. Says I, "If it is, I will vote a whole lot of men who cannot get inside the doors. If that was the way they would vote, there would be a good many that could not get in the house, and I would vote for them." And Mr. Hamilton told Mr. Fairman that that was not right, and I never saw any more of that. The negro living with Mr. Fairman, he told him that if he

voted the republican ticket he would make him leave his house; would not let him stay in his house.

Q. As a matter of fact, did everybody vote that desired to vote at that voting-place, so far as you know?—A. Yes, sir; so far as I know, they did.

Q. Was the vote free as to the expression of opinion, or otherwise?—A. No, sir; I could not say that every man voted as he liked, as he desired. There were some that stated they were afraid to vote as they chose, and voted the other way to please other parties.

Q. How was the attendance; as full as it would have been if there had been no excitement other than is usual in a political canvass?—A. I could not say. I judge it was, from the fact of creating so many precincts.

MORE DEMOCRATIC VOTES CAST THAN THERE ARE DEMOCRATS IN THE COUNTY.

Q. Do you know what the negro vote was in the county?—A. A pretty full vote, the republican vote was, and the democratic vote was extra, ordinarily full, I think—about two or three hundred more than really ought to vote; more than lived in the county.

Q. How do you explain that?—A. I do not think that many people live there. There is not that many tax-payers on the list. Never has such a vote been polled before. I saw some men that I knew were not entitled to vote there. I asked Mr. Horne, the registrar, the democratic registrar, J. A. Horne, his opinion about it. He was registrar, and he said he thought himself that there were a good many voted that were not entitled, of both parties, he said.

REPORTS ABOUT OTHER PRECINCTS.

By the CHAIRMAN:

Q. Was there anything further there at Hazlehurst, or Beauregard, or any town in the county, that you have knowledge of?—A. They were just about the same way, I heard. I could not speak from own knowledge about other places. I was not at the election, only at that one precinct. I could not say. I did not see it myself, but only heard what others told me.

Q. What statements were made by other persons to you?—A. Mr. Bondurant was treated pretty much the same way at Pine Bluff.

Q. Was it in the same way as you were at Beauregard?—A. Yes, sir; he told me that he was treated pretty much the same way at Pine Bluff—perhaps worse.

ABOUT REGISTRARS.

By Mr. CAMERON:

Q. What, under the laws of Mississippi, had you, as sheriff, to do with the registration?—A. I think that I had nothing to do with the last one, except to appoint the registrar. I think—I do not know, whether it is the last law or the law of 1875, but before that time I had to send a deputy along to keep order and peace at the registration; but I do not remember; they did not say anything to me at this last registration about it, one way or the other. Two men just went ahead and registered.

Q. By whom were those two men appointed registrars?—A. One of them was appointed by Judge Chancellor Peyton—Mr. Horne. M. H. Peyton was appointed by Judge Millsaps, and was removed by him; but he would not be removed.

Q. He would not stay removed?—A. No, sir.

Q. What were the politics of these two registrars—the two that acted?—A. They both voted the democratic ticket. Peyton had always claimed to be a republican until this last canvass, but he went off and was taken by the democrats and re-appointed chancellor. He was chancellor, and after this action with that party they re-appointed him.

Q. Who were the other two included in the action brought against you, in which you were enjoined?—A. Berry and Bon Durant.

Q. Who were they?—A. Bon Durant was appointed in place of Peyton, and Berry was the man I appointed in place of Wright, who refused to act.

Q. What were the politics of these two gentlemen?—A. They were republicans.

Q. In whose name was the action brought in which the injunction was obtained?—A. W. W. Cook and T. D. Aiken, candidates for sheriff and for coroner.

Q. What were their politics?—A. Democrats.

Q. Who was the attorney in the suit upon the part of the plaintiffs?—A. Tim. E. Cooper, I believe, was the name marked to it.

Q. Was he a democrat or republican?—A. A democrat, and chairman of the executive committee of the county. I think he was the attorney.

RELATIVE VOTES AND RESULTS IN 1873 AND 1875.

Q. When were you elected sheriff?—A. In 1873.

Q. What was your majority at that time?—A. One hundred and fifty-five votes.

Q. What was the majority of your opponent at the last election?—A. Something over five hundred.

Q. How many members of the lower house of the legislature were elected in your county at the last election?—A. Two.

Q. Who were they?—A. Dr. Roan and Mr. Miller.

Q. What were their politics?—A. Democrats.

Q. Did you elect a senator from that county at last election?—A. No, sir.

Q. What county is attached to yours in the senatorial district?—A. Claiborne and Copiah.

ELIJAH WRIGHT'S POLITICS.

By Mr. BAYARD:

Q. Elijah Wright was appointed by you one of the registrars?—A. Yes, sir.

Q. You seemed to be in some doubt as to his party politics?—A. Yes, sir; he always claimed to be a democrat, but after that he voted for some republicans.

Q. He resigned, as I understand you, because he told you he thought the democrats, by dividing the precincts, would get more votes than they were entitled to?—A. Yes, sir.

Q. Did he accept the nomination of the republican party for justice of the peace?—A. Yes, sir; he did.

Q. And right away after his resignation?—A. Yes, sir.

Q. For justice of the peace?—A. Yes, sir; that was the only district that did not have a democratic majority, and we had to run a democrat in there to carry it.

Q. But he took the republican nomination?—A. Yes, sir.

Q. Who ran against him on the democratic side?—A. Two candidates, Mr. Croome and Mr. Ramsey.

Q. Who were elected?—A. Croome and Ramsey.

Q. He ran against the democratic party on the republican ticket?—A. Yes, sir.

Q. When you did appoint him registrar, was not that appointment objected to by leading men in the democratic party?—A. No, sir; I never heard; never said a word about it.

Q. The cause of his resigning was that he thought they would get more votes than they were entitled to?—A. He said they did not aim to do what was right, he thought.

Q. And then he resigned?—A. Yes, sir. He let us vote for him, but he took no part in the canvass at all.

Q. He took the nomination?—A. Yes, sir.

INJUNCTION AGAINST BOARD OF SUPERVISORS.

Q. Who obtained the injunction against particular members of the board?—A. Mr. Cook and Mr. Aiken.

Q. What was the substance of the injunction?—A. I do not remember.

Q. You were enjoined from doing what?—A. I think Mr. Cooper told me that they thought I was trying to get possession of the books by some means.

Q. The books of registration?—A. Yes, sir. It was only a supposition on his part. All I done in the world was to get Bondurant in his position, so that he would have a man on the board.

Q. Yes; but was it not alleged that you and Bondurant were obstructing the registration in the county? Was not that alleged?—A. Yes, sir; they said that; they alleged that.

Q. Do you remember whether the injunction was read to you?—A. Yes, sir.

Q. A copy was served?—A. Yes, sir.

Q. What did it enjoin you to do, or not to do?—A. I do not know. Not to interfere with the registration, I expect; to abstain from the books of the registration, and have nothing to do with them.

Q. Then the object of the bill was to prevent you from interfering with the registration in that county. That was the object of the bill?—A. I suppose so.

Q. You were enjoined from interfering with it?—A. Yes, sir.

Q. The application was to a regular chancellor?—A. No, sir; I do not know who. Peyton would not grant the injunction.

Q. Did they apply to him for it?—A. I understand so.

Q. Who did grant the injunction?—A. I do not know.

Q. How do you know it was granted regularly?—A. I never paid much attention to it, because I had nothing to do with the injunction no how.

Q. You do not remember?—A. No, sir; because I did not think anything about it any way.

Q. Who served it?—A. Mr. Croome.

Q. Who is he?—A. Mayor of the town of Hazlehurst.

Q. You cannot say in what court, or before what judge, the proceeding was taken against you?—A. I cannot say; I think probably it was Judge Deeson. I cannot say.

Q. Who is he?—A. Chancellor of another district. I do not know; I think I have heard that he did; I could not say from my own knowledge.

Q. But was the injunction obtained in the court to restrain you from interfering with registration?—A. Yes, sir.

Q. By whom was Judge Deeson appointed?—A. By Governor Ames.

Q. Mr. Cook is the present sheriff?—A. Yes, sir.

Q. Were you personal friends, on good terms?—A. Yes, sir.

Q. He is a clever, worthy gentleman.—A. Yes, sir; a clever man.
Q. An upright, good man?—A. Yes, sir.
Q. Where does this Mr. Horne live?—A. At Hazlehurst.
Q. He is democratic registrar, you say?—A. Yes, sir; one of them.

ABOUT ILLEGAL VOTES.

Q. He stated that he thought that there had been votes on both sides more than they had a right to poll?—A. Yes, sir.

Q. Can you state any votes that were not registered that were taken at that election?—A. No, sir; I could not say that. There is no way of telling from our registry-books whether they were; I cannot tell anything about it.

Q. Have you any knowledge of any votes taken there that were not registered?—A. No, sir; I do not suppose there was a single vote taken that was not registered, because I think they registered everybody that applied. Yes, I believe some negroes—they treated negroes that way. Once a few negroes they did not register that applied.

ABOUT THE INJUNCTION AGAIN.

By Mr. McMillan:

Q. When was this injunction granted in reference to the election?—A. I think probably it was in September.

Q. Did it embrace anybody but you?—A. Yes, sir; the registrar I appointed, and the one Millsaps appointed.

By Mr. McDonald:

Q. The injunction against them was on account of their being appointed where it was claimed there was no vacancy?—A. No, sir; they admitted the vacancy, and came to me with a petition of some 1,600; I forget how many. They recognized the vacancy and petitioned.

Q. On what account was he enjoined from acting?—A. I do not know.

Q. It was not claimed that he was ineligible?—A. No, sir.

Q. If you do not know on what ground, how can you say that it was not on account of ineligibility?—A. I never heard it. I never heard anything said about that.

NOTICE SERVED ON FOSTER, THE REPUBLICAN CANDIDATE.

Q. It must have been because he was ineligible, that you had no power to appoint him, or there was no vacancy?—A. No, sir; he was not ineligible; he was a registered voter of the county. There were two injunctions. I think they had one to enjoin Bondurant in the courts, probably afterward. There were two injunctions. I paid very little attention to that. They enjoined Bondurant from trying to get his place on the board. Mr. Foster, they gave him a notice not to go to the election to vote. He showed me the notice. I do not remember how it reads. That was posted on his gate; but they sent out from the precinct and brought him to the election. He told me he was afeared, and told these men that he was no candidate and voted the democratic ticket.

By Mr. Bayard:

Q. What was his name?—A. B. C. Foster. He was a nominee for justice of the peace. His notice, he showed that to me, which they gave him.

Q. It was signed by whom?—A. I do not recollect now. It has not any one's name to it.

Q. An anonymous notice to him?—A. Yes, sir; something signed to the bottom I do not remember. He was afraid to go to the election at all, and then they sent for him.

Q. Who sent for him?—A. I do not recollect who they sent.

Q. You do not remember who the people were?—A. He told me. I do not know. I think that Mr. McCaleb was one.

Q. Was he a worthy man, a good man?—A. Yes, sir.

Q. A good citizen?—A. Yes, sir.

By Mr. CAMERON:

Q. Who is Mr. Foster?—A. A gentleman born and raised right there in the county; a white man.

Q. What was he a candidate for?—A. Justice of the peace. He was formerly a justice.

Q. By which party was he nominated?—A. The republican candidate.

Q. What party did he belong to?—A. The republican party.

Q. Was he a man of good character?—A. Yes, sir; his character was very good. I never heard anything against him.

Q. Of good reputation in that community?—A. Very good, I think.

Q. What did you say he stated to you he did after he was taken to the polls?—A. He told me he declined to be a candidate; that he was afraid of his life.

Q. Did he state so publicly?—A. I do not know whether publicly or not. He was a candidate up to that morning, and his name was on the ticket, and a great many voted for him. He told me not to vote for him, that he was not a candidate. He told me some time after the election.

By Mr. BAYARD:

Q. Did this Mr. Foster live in the county near you?—A. No, sir; he lived some twenty miles from where I live.

Q. He is a well-known citizen?

The WITNESS. Has he not been summoned here? It is nearer to where he lives than to where I am.

Q. What is his name?—A. Brant C. Foster; eight miles south of Burnett's Mills.

A. J. HODGES—COPIAH COUNTY.

JACKSON, MISS., *June* 16, 1876.

A. J. HODGES sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. You are a resident of Copiah County, and county treasurer, I believe?—Answer. Yes, sir.

Q. That is the county of which Mr. Mathews is sheriff?—A. Yes, sir. He was sheriff. Another is there now.

Q. How long have you lived there?—A. I was born and raised there.

Q. Did you hold any office?—A. Yes, sir.

Q. What office?—A. Treasurer of the county.

Q. When were you elected?—A. Last fall.

Q. Were you there during the canvass?—A. Yes, sir.

Q. Were you elected upon the democratic side?—A. Yes, sir.

Q. During the canvass, did you see there any disorder or violence?—A. No, sir; none at all.

SAW NO INTIMIDATION OR FRAUD.

Q. Do you know of any intimidation or fraud that was practiced at that election upon any one?—A. No, sir.

Q. What was the character of the canvass as to peace and order?—A. It was quiet.

THE ELECTION WAS PEACEABLE.

Q. There was a good deal of activity displayed on the part of the democrats?—A. Yes, sir; both parties had an interest in it, I think; I did, at any rate.

Q. Do you known of any one that was interfered with, as to his right of suffrage, on the day of election?—A. No, sir.

Q. And the election itself, how was that as to peace and good order?—A. I never saw a more quiet election in my life at my box.

Q. There was no intimidation attempted on the colored people there in the county?—A. No, sir; nothing of the kind that I know of.

B. C. FOSTER'S CONNECTION WITH THE ELECTION.

Q. Do you know a man by the name of B. C. Foster?—A. Yes, sir; I know him.

Q. Where did he reside?—A. He lives out in the northern portion of the county.

Q. Do you know whether Mr. Foster came to the polls that day and voted?—A. I was not at the box. I was at the box in the evening, but I did not see him. I heard he was there and voted.

Q. Was Mr. Foster enrolled at any time as a democrat?—A. Yes, sir.

Q. Was he a member of the democratic club?—A. He was enrolled in this way at a club meeting: I was president of the club, and acted as secretary, and his brother asked me "Could he enroll any one's name if he was authorized to enroll it." I told him, "Of course;" and he said his brother, B. C. Foster, requested him to enroll his name.

Q. I will state the reason why I asked the question. Mr. Mathews, sheriff of the county, was here and stated that he had been informed that Mr. Foster, whose name was on the republican ticket as a candidate for justice of the peace, did not come to the polls, but that the democrats sent a committee to his house and brought him to the polls, and that he then requested that his name should be taken off the republican ticket, and he voted the democratic ticket. And Mr. Mathews says he did this under compulsion and fear.—A. That I do not know. But I and Mr. Foster had always been intimate friends, and he told me several times a good many of the democratic candidates he would vote for and some he would not; but I understand—I never heard him say—that he voted the entire ticket; but several democrats he said he would vote for.

Q. You know Mr. Foster?—A. Yes, sir.

Q. Have you any idea that Mr. Foster voted that way in compulsion or intimidation, and withdrew his name under such influences?—A. I do not think that he is a man who would be easily intimidated. I do not know, sir, but I think Mr. Foster would not be easily intimidated.

Q. What do you say as to the fact whether he was or not?—A. I do not think he was.

Q. Do you know anything about a committee being sent for him?—A. No, sir.

Q. Do you know anything about his name being taken off the republican ticket?—A. No, sir; I was not at this box, but I was there later in the evening.

Q. Were you a candidate during the canvass?—A. Yes, sir.

Q. Do you desire this committee to understand that this canvass was conducted in a perfectly fair, peaceable, and orderly manner?—A. So far as I know, it was.

JOHN H. ELLIS—COPIAH COUNTY.

JACKSON, MISS., *June* 17, 1876.

JOHN H. ELLIS sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. What county do you live in?—Answer. Copiah.

Q. What town?—A. I live in Pine Bluff precinct.

Q. Were you there during last year?—A. I was.

Q. Where were you born?—A. Born and raised in that county.

Q. A native of Mississippi?—A. A native of Mississippi.

Q. Were you there during the canvass of 1875?—A. Yes, sir.

A. And have lived there from that time to this?—A. Yes, sir.

CHARACTER OF THE CANVASS AND ELECTION.

Q. What was the character of the canvass as to peace and good order?—A. It was very good, so far as I know.

Q. Were you there on the day of election?—A. I was.

Q. Did you observe any scenes of disorder?—A. No, sir; nothing out of the way at all.

Q. Do you know of any case during the canvass of intimidation by any class of citizens?—A. None whatever, sir, that I personally know of.

Q. Do you know of any violence threatened or executed by anybody there?—A. No, sir; none whatever.

Q. Do you wish the committee to understand that the canvass was a peaceable and orderly one?—A. It was, as much so as I ever saw since the surrender—since the black people became voters.

Q. Did the black people vote there, as usual, freely?—A. Yes, sir; they voted so.

TROUBLE WITH THE SHERIFF.

Q. Had you any trouble in reference to registration with Matthews, the sheriff of your county?—A. Yes, sir; we had some trouble about that.

Q. What did he propose to do; what was your trouble there?—A. I think Matthews wanted to arrange it so as to make the registration illegal, by refusing to put in his man, or the one that he was entitled to put in.

Q. Did you make application to the court?—A. Yes, sir; there was application made.

Q. What was the result?—A. The result was that there were two men appointed. Those two took the registration through the county, and Matthews's man remained out.

Q. Was that decision for or against Matthews?—A. Against Matthews.

Q. Was or not Matthews enjoined from interfering with the registration?—A. He was.

Q. Was Matthews a candidate for sheriff?—A. Yes, sir; he was the republican candidate for sheriff.

ABOUT FOSTER.

Q. Do you know a man in the county named Foster?—A. I do; very well. He was successor to myself in the office of justice of the peace in the district in which I live.

Q. When did you hold that position?—A. About three years ago; as well as I remember, I held it two and a half years. I held it a little over my time, as my successor failed to qualify. I held it until they ordered another election, and then Foster was elected.

Q. Do you know anything of Foster's voting on the day of election?—A. I do not personally know; I have only his word for it. He told me how he voted.

Q. What did he tell you?—A. He told me that he voted the democratic ticket with the exception of one or two men—one of our representatives; he said he didn't vote for him.

Q. Did he say whether he voted under any duress or fear of violence?—A. No, sir; none, whatever. He was very free to express himself, and took a pretty active part around the polls.

Q. Did you ever hear of a democratic committee waiting upon him at his residence to get him to go to the polls?—A. I knew there was a report had got out that he had, or, at least, had expressed himself as though he had been intimidated, and the club sent a committee to see Foster in regard to it; but the committee that the club appointed to see him and escort him to the ballot-box met him as he was going to the box to vote that morning, and they went on down with him; and he denied everything of the kind. I think the report was that he had stated he had received a note of intimidation; but when the committee met him and inquired into the matter, Foster denied the whole thing, and exonerated the club; said the club had had nothing to do with it, but he knew who had; that there was a certain individual that wrote that letter, and he stated that he had his handwriting on his books, and he knew his handwriting by that; and exonerated the club entirely; said the club had nothing to do with it, and denied the report *in toto*.

Q. It has been stated here by Mr. Matthews, sheriff of the county, or the man who was running for sheriff at that time, when he was asked whether there was any intimidation, that he knew of one case, the case of this Mr. B. C. Foster, whom he said was afraid to leave his home, and that the democrats sent up a committee for him, and that he came down and voted the democratic ticket, and that he did so because he was intimidated and afraid.—A. Foster is not a character that is easily intimidated, and that is all erroneous. I never heard of any armed force or anything of that kind going to his house to make any threats toward him in any way.

NO INTIMIDATION EXCEPT BY REPUBLICAN FREEDMEN.

Q. To the best of your knowledge and belief was there any act of intimidation to prevent any man from voting as he saw fit at that election in your county?—A. None whatever. I was only at one box during the election. There was none at that box that I knew of except this sort of intimidation: I saw tickets taken from certain parties and torn up and certain other tickets given to them in the place of them.

Q. What cases were those?—A. It was the case of some of the leading freedmen, republican freedmen, taking tickets out of the hands of the negroes that wanted to vote the democratic ticket and tearing their tickets up, right before their faces—taking them right out of their hands and tearing them up and giving them other tickets—republican tickets.

Q. Were there many negroes who wanted to vote the democratic ticket?—A. A good many; some twenty-five or thirty, I suppose.

Q. Did you witness that yourself—their tickets being taken from them?—A. Yes, sir, in one or two instances; and I heard of others.

Q. Were those the only cases of interference with the free right to vote in the county?—A. That was the only case that I know of personally.

By Mr. McMILLAN:

Q. You say you saw one or two instances yourself?—A. Yes, sir; as many as one that I know of, for I was a candidate that day myself

for the board of supervisors, and was around a good deal among the people, electioneering with them.

Q. How far were you from the persons you saw doing this?—A. As near as from here to the gallery; say twenty-five or thirty feet.

Q. Who was it that took the ticket away from the colored man?—A. It was George Hodges.

Q. From whom did he take the ticket?—A. From Peter Strong.

Q. What ticket did he take?—A. He took a democratic ticket from Peter Strong and tore it up and gave him a republican ticket.

Q. How do you know it was a democratic ticket?—A. I could not say positively that it was, but I was with the young man that fixed the ticket up and handed it to him.

Q. What was the young man's name?—A. S. G. Jenkins, jr.

Q. How far did he give him the ticket from the polls?—A. Thirty-five or forty feet.

Q. Who was the man he gave the democratic ticket to?—A. Peter Strong; and George Hodges taken the ticket.

Q. That was about thirty-five or forty feet from the polls?—A. Yes, sir; I was about ten steps from Hodges when he taken the ticket and tore it up.

Q. How far was it from Jenkins before he met Hodges?—A. Not more than about ten steps, I suppose.

Q. Then he came there and met Hodges, did he?—A. Yes, sir.

Q. Did Hodges give him a republican ticket?—A. He took this from him and tore it up and gave him a republican ticket.

Q. How do you know it was a democratic ticket that was taken away from him?—A. He just taken the ticket in his hand and walked toward the polls with it in his hands.

Q. And came to Hodges?—A. Yes, sir; Hodges met him going in the direction toward the polls to vote.

Q. You were about thirty or forty feet from Hodges?—A. Not Mr. Hodges; I was only twenty or thirty feet from Hodges, but about thirty or forty yards from the polls.

Q. How do you know that it was a democratic ticket that Hodges tore up?—A. I saw the other ticket fixed up by young Jenkins and given to this freedman, and he had started right for the polls with it in his hand.

Q. Then how do you know it was a republican ticket that Hodges gave him?—A. I don't know certain; only it was colored different, and the paper was different from our ticket.

Q. Did you see the ticket after it was torn?—A. Yes, sir; after I saw it done.

Q. Did you go and pick it up?—A. No, sir; I didn't pick it up, but I saw the pieces on the ground.

Q. From where you were standing?—A. Of course; I walked up after the thing happened.

Q. And he took the republican ticket from Hodges after his was torn up?—A. He taken that ticket. I cannot say for certain that it was a republican ticket; but he said, "You must vote the republican ticket;" and I suppose if it had not been a republican ticket he would not have given it to him.

Q. Were you a member of the democratic campaign club?—A. Yes, sir.

By Mr. CAMERON:

Q. Could Peter Strong read?—A. No, sir; he could not read.

Q. Did Peter Strong say to the young man who gave him the ticket that he wanted to vote the democratic ticket?—A. No, sir.

MARION CAMPBELL—DE SOTO COUNTY.

ABERDEEN, MISS., *June* 26, 1876.

MARION CAMPBELL sworn and examined.

PERSONAL RECORD.

By the CHAIRMAN:

Question. Where do you reside?—Answer. De Soto County, Mississippi.

Q. How long have you resided there?—A. I have lived in De Soto County since December, 1866.

Q. And your residence before you went to De Soto County?—A. Peoria, Mahaska County, Iowa. I was in the Federal Army from 1861 to 1866. Hernando is the county town where I live.

By Mr. CAMERON:

Q. How long have you resided in this State?—A. Since December, 1866.

Q. Have you a family in this State?—A. No, sir; not at present; I lost my wife and both children.

Q. Have you had anything to do with politics in this State?—A. Yes, sir.

Q. When did you commence doing anything in politics?—A. In the summer of 1869.

Q. What office, if any, were you elected to that year?—A. To the legislature in 1869.

Q. The house or the senate?—A. To the house.

Q. Were you subsequently elected to the senate?—A. Yes, sir; I was in 1871.

Q. What have you been engaged in since you came to the State? State generally your occupation.—A. My employment was planting—raising cotton—then reading law, next was deputy sheriff, and then assessor of internal revenue. Since then I have been to the legislature, and am a special commissioner of claims at Washington.

Q. Were you at any time ordered to leave the State; and if so, by whom?—A. I was never ordered to leave the State.

Q. What was said or done in regard to that matter?—A. In 1867, in the constitutional convention election, my partner came to me and told me that I must quit; parties said they were not going to have me in the community on account of my political views.

Q. Did you take any part in the political canvass last fall?—A. I did.

Q. You may state any facts out of the general order; any such things that happened in this county.—A. I was a candidate; I had been a member of the legislature, and senator for six years; I was nominated on the first ballot, by the republican convention, for chancery clerk, which nomination I accepted. Most of the time during the canvass I was absent from the county on business of United States commissioner, which carried me to Marshall County, and I was also charged by Governor Ames with certain duties—appraising ordnance. I had been previously appointed, by Governor Ames, a brigadier-general of militia of the second congressional district. In the canvass I was not molested in any way in the county; nothing said to me until the Sunday, the week before the election; I met a couple of gentlemen that I had been intimate with for years.

PLANS TO SEIZE STATE ARMS AND ASSASSINATE WITNESS.

Q. Were they democrats?—A. Yes, sir, both democrats. I met them

on the road, about a mile from Hernando, and they just stopped on the road and commenced talking, and said to me, "Campbell, are you going to stand to that ticket?" I said I was a republican and expected to stand by the nominees. "Campbell, we like you, but if you stand by that ticket we are going to have nothing more to say to you." I says, "I cannot help that." "I want you to quit that ticket and come and go with us." I just remarked that they would have no respect for me if I was to give up the party that they knew I fully believed in, and would not do it, but I would stand by it. "Campbell, if you carry that ticket, you shall never take your seat." I told them that was a matter for after-consideration, and they said, "Good morning," and went on. The Saturday before the election, General Gordon and Colonel Lamar spoke at Hernando. Friends of mine, who were not political friends, but otherwise, advised me not to be there that day. I had other business, and I went away from the county-seat to avoid it, and staid away.

Nothing else occurred. When I returned, that same Sunday, I was abused on the public square by a crowd of men. I was riding across the square, and they commenced hallooing, and abusing me, and ordered me to leave. I did not leave. I staid there. Previous to that, however, when I returned from Marshall County, same parties had been to Jackson, and seen General Ames, and made a request to send arms up there to organize the militia, of which I knew nothing. I got off the cars at Hernando depot, and went up and stopped in a store there. The proprietor of the store came to me and asked me, "Campbell, where have you been?" I told him; he says, "Have you been at Jackson since, at no time? Were you not there to get the arms sent down here?" I answered, "No, I was not. I have not heard of any; have any been sent up here?" Says he, "No, they had not come." Says he, "We thought you were down there." Says I, "I can show you papers in my pocket that will show you where I have been the whole time taking testimony." "We proposed to hold you responsible. We thought that you were there at Jackson, and that you were causing the trouble, and having the arms sent here. Did not you write and ask to have them sent up here?" Says I, "I never did." He just remarked, (his name is Joseph Hawkins,) "You always told the truth, and I believe you are telling it now; I don't believe you did have anything to do with it." I then asked the particulars; I did not know that arms had been ordered up, and he told me that a number of them went down nine miles below Hernando, to intercept the arms; if Ames did send them on, that they should never get there; that they were going to keep them from being delivered at Hernando. On the Monday night the week before the election, I was going up town. I was going away the next day, and I went down to the store to get some orders cashed.

The parties called on me where I stopped. I told them that I was in a hurry, as the store would close up, and as soon as I got through I would come back. A gentleman named Mackey came and begged me not to go back. "Don't you go back there now." Says I, "Why?" Says he, "They are all drunk, and it is agreed among them that one of them is to say something to you which you will resent, and you are to be shot down." Says I, "I reckon not." Says he, "I know it is so. I heard it talked; it was for them to get rid of you; now don't go there. I came over here, but I did not want to talk any longer, because it will interrupt my business." He was a man of business there. Says I, "Mackey, I won't go back there, I will avoid the difficulty." I did, and went around to his store with him. He was a southern man, and had been

in the confederate army, but he was a republican and had been elected to the legislature; we were intimate friends. While I was there at his store, the parties followed around there, but we were in his private room, and they did not bother us; they did not come in, and did not insult any individual in the store. The most intimate friends I had there counseled me to go out of the town; whenever they saw me up town they told me to go back, go home.

On the day of the election I was at Naseby's, Horne Lake, Stewart's store, and Dixie. I went on the cars to Horne Lake, and had a horse there, and took tickets and left at each place. As the cars ran up to Hernando, by Naseby's and Horne Lake, I handed tickets off there; that was all I seen at Horne Lake. I got off where I had a horse; it was quite early in the morning, about half past eight o'clock, when I passed Naseby's. At Horne Lake all was quiet there and at Stewart's store; I rode horseback out there. Out from Stewart's store on the big creek at a school-house on the edge of the woods, I saw a row of guns stacked up there and men sitting beside them.

A QUIET ELECTION.

Q. White men?—A. Yes, sir. Everybody was voting, though, freely. I must say so, that there was no disturbance there at all; I saw no intimidation; darkies were around there at the time talking to a number of white men, all good friends. Tickets had been distributed, and I was told that they had been delivered beforehand; but I was afraid that they might run out before another supply came, and that was the reason I took the trip I did. I knew where they were short of tickets; I staid probably three-quarters of an hour, and then took the road to go to a box on the bottom, and after I started I made an arrangement to send them by a colored man down there. I then went to Dixie; I had rode about two miles, and upon looking off through the woods where there was an open place, where I could see a half-mile, more or less, I saw five or six men coming riding down toward me, coming from the same direction from where I had come. Well, I saw they were going to intercept me where the road crossed, and I rode on very deliberately, in no hurry, and when they came up I knew the parties and recognized them. They said nothing and went on their way. I have heard since from a gentleman who was there where they started from, who said that they said they were going to catch Campbell before he got to any other place. I admit that I did not have the most comfortable feeling in the world, with five or six men coming with shot-guns; but I saw there was no other way but to take it quietly. At Dixie everything went on very quietly, so far as I saw or heard.

CROWD STARTED TO HANG WITNESS.

On Wednesday the democrats, I think, expected to have a big time in Hernando. I did not go in until the second day after the election, and I went in with one of them, Maj. John H. Cox. I had not been in town more than twenty minutes, or as long, when the sheriff of the county and a merchant there in whose store I stopped made me go into the back room, and said that there was a crowd started the night before to hang me up. They were going to hang me. Says I, "What for?" Because they were not going to have me here any longer. Says I, "Who was it?" But he would not tell me the names. I learned some of the names. They insisted on my being quiet, and going back out of sight. Says he, "Campbell, it will injure my business; I do not want any disturbance in my place. Just come in and sit down." Says he, "Did anybody see you come into town?" I said, "Of course they did. I rode across

the public square." He says, "I am afraid they will come here after you." I says, "I will go away from here." "No," he says; "go back and sit down; I do not want you to do that."

LEAVES THE TOWN.

In a few minutes Mr. Thomas White, chairman of the democratic executive committee, and Colonel Morgan, now senator from that district, came back into the room where I was. I said that I was under apprehension in regard to my life, and asked them if they thought there was any danger. They said they had heard nothing, but if I had any evidence that I was in danger Mr. Morgan asked me to go to his house, and that he would protect me. Says he, "I know you well;" and we had been always very particular friends. When I was first elected to the legislature here—I was elected in 1869, and when the county was a white county. There were two southern men elected there, and one northern man. After I was elected they said the only man that they feared that was elected was Marion Campbell. Before I had been in the legislature three months, they were all my friends, and praised me in the papers, where they had been abusing me before; and I asked them to stop their praise; that I did not wish it. I was elected, and I expected to represent the people I was elected from. From that time Mr. Morgan and I had been very good friends. I had consulted him, and he had been my lawyer in everything that came up. When that Austin riot took place he and I went together there, and staid together; and when I went to Friar's Point, was ordered there, I consulted him before I went. There was a personal friendship between us. He insisted on my going to his house. Says he, "I do not know what these fellows may do. You go to my house, and I will guarantee your protection, or I will lose my life." Says I, "Judge, I believe that. I believe you would, but I do not want to put you to the trouble. I expect to leave to-morrow any way. I promised to attend to some business before the election—some of the commissioner's business. It won't take an hour to pack up my papers and get ready, and I will relieve you, and get away from here until this excitement is over." "Well," he says, "it will relieve the excitement very much." I went down to my room, and took what clothing I needed; what papers I needed. I was hooted by some young men and boys as I went across the square, but I paid no attention to it. I got my things packed up, and went back up town, and nothing was said, or occurred. Colonel Morgan met me where I was coming, and walked with me to the depot, and I took the cars and went away. That night I was followed again. They charged me with having reported them to the United States grand jury. I had not been there, and have not been; and I never reported a single man yet.

HOW INTIMIDATION WAS PRACTICED BEFORE ELECTION.

Q. What did they charge you with reporting them for?—A. For intimidation during the election. I went out into the country, and they started out to find me, but could not get to me. That was what I was charged with. I never did have a man indicted from that county for any crime. I left there the Thursday following, and went out into the country, and staid there three or four days. Then I went to Memphis, and then came on to Jackson. I will state this in regard to the election, that I did not see any intimidation. The way they managed, the night before the election the clubs throughout the country were organized—democratic clubs. They were all armed; when they ordered their arms in the first place, I remarked when I saw them, "What did they want the bayonets on them for?" I did not see what use they had for bay-

onets. The night before the election I saw them in Hernando; they have a company there that drills there regularly. They were mounted on horseback, and they started out through the county in squads. I heard the next day that they had been to places, and they had gone to inquire for prominent colored men; and would bring the negro neighbors together, and inquire for the man, shooting their guns and revolvers all the time, not at anybody that I know of, but kept a shooting up, and when they would come to the negro that they were inquiring for, he would not be there. "Well, we will see him to-morrow." The result in that county was that the colored men were not at the polls.

DEMOCRATS WOULD NOT ALLOW REPUBLICAN TICKETS TO BE DISTRIBUTED.

At Olive Branch, on the Monday before the election, tickets were distributed throughout the county, from my room. There were so many clubs. We had clubs organized at each voting-place in the district. There would be two men from each club at that voting-place come for tickets. The tickets were given out in proportion to the number of voters they had. Robert Sheik and another man came for tickets at Olive Branch; I counted them out for them. They rode to Olive Branch with the men, and then told them they could not give any of those tickets out there. If they heard of them distributing tickets it would be sorry work for them. They went away, and the second day after the election, while I was at my room talking to somebody, Robert Sheik came in and handed me back all the tickets I had given to him for that box.

Q. They had not been distributed?—A. No, sir; he told me then he was afraid to distribute them. It was a box where they generally voted about 160 or 170 votes.

MEN TOLD THEY WOULD BE TURNED AWAY FOR VOTING THE REPUBLICAN TICKET.

Q. Did they have republican tickets at that box?—A. I understood not, or not in time. On the second day after the election, Judge Morgan, one of the gentlemen that was with me, and who offered me protection, showed me a letter from one of the inspectors. They were holding the election. One of the inspectors, A. G. Perry, received a letter about 11 o'clock that day. They wrote: "Judge Morgan, send us some republican tickets; over one hundred colored men on the streets at Olive Branch without tickets to vote. We desire to vote the republican ticket, and have no tickets." That was sent here. Mr. Morgan told me that he did not think it was his business to furnish tickets to the republican voters, which, in a political sense, I do not suppose it was. I have seen Robert Sheik since the election; I saw him the second day after. I saw men the Saturday before the election, who told me that the men they lived with just told them they could not live on their places if they voted the republican ticket—where they had been living for years.

RELATIVE RACE VOTE OF COUNTY—RESULTS AT LAST ELECTION.

Q. What is the relative number of white and colored voters in De Soto County?—A. About five hundred majority of colored voters. Before the county was divided there were 7,300 registered voters in the county, the most populous county in the State; after the division they made the county of Tate out of it, which made a democratic county; but the county always went republican before. At the time they had these 7,300 in De Soto County, they had about two or three hundred white majority, but the county always went republican. Since they divided it, Tate County was democratic; De Soto County elected the

republican ticket the first time, and in that election there was 500 majority. The county went last fall about eight hundred democratic.

Q. How many members to the lower house of the legislature were elected last fall in De Soto County?—A. Three.

Q. Were they republicans or democrats—were they all democrats?—A. Yes, sir.

Q. In what senatorial district is De Soto County?—A. The twenty-seventh.

Q. What counties constitute the district?—A. Tate County and Tunica.

Q. Is this district republican or democratic?—A. Heavily republican.

Q. How did it go last fall?—A. Democratic.

Q. Who was elected senator from that county?—A. J. B. Morgan and G. C. Callicott.

Q. Two democrats?—A. Yes, sir.

NEGROES REFRAINED FROM VOTING, AND WHY.

Q. What effect did the operations you have described, and the other acts of intimidation, have upon the negro voters in that county; did it or not prevent them from voting?—A. It caused them to stay at home, or to take any kind of excuse they could get to go out of town. I saw on the train from Hernando to Horn Lake, on the morning of the election, quite a large number of colored men whom I knew very well. I asked where they were going that day; they answered they were going to Memphis—they had business there. I asked if they were not going to vote, as that was the day of the election, and they said they were going to get back in time to vote. I told them I did not expect them. I knew the men, and I told them that they would not be back in time to vote. Some of them would not be allowed to live on their places if they voted the republican ticket; and I told them that they would not be back until after the polls were closed.

Q. Is there anything else that you desire to state?—A. No, sir.

By Mr. BAYARD:

Q. You were a candidate?—A. Yes, sir.

Q. For the county clerk's office, and were defeated?—A. Yes, sir; I was.

W. E. KELLEY—GRENADA COUNTY.

JACKSON, MISS., *June* 23, 1876.

W. E. KELLEY sworn and examined.

By Mr. MCMILLAN:

Question. Where do you reside?—Answer. In Grenada County.

Q. How long have you resided there?—A. Since the 1st of February, 1872.

Q. Were you there during the political campaign of 1875?—A. Yes, sir.

A QUIET REPUBLICAN CAMPAIGN.

Q. Will you state, if you please, any knowledge you have in regard to the conduct of that campaign, and events occurring in your town or county?—A. I was there during all that campaign, and took part in that republican canvass. At the meetings we were very careful in conducting our campaign, to keep order and quiet, knowing the feeling

throughout the State, and we determined at our republican meetings to be as orderly as possible always, and avoid as much as we could fighting and everything of that kind. I will state as to particular times when there was some trouble. At one time the day our county convention was to be held—the delegate convention——

A STREET FIGHT ON CONVENTION-DAY.

Q. The republican convention?—A. Yes, sir; on that day there were delegates coming into town and we went into the convention. The sheriff of the county—S. French was then sheriff, and also the nominee of the democratic party. He had some conversation with one of the delegates some time in the former part of the season. It seemed that this delegate had pledged him his support, but changed his mind and came out in favor of the republican party. He was a delegate. The sheriff (French) comes on him in the street, and, walking up, with his cane commenced an assault on him, striking him on the head. Some parties stepped in and separted them. At that time a report came to the office, where Senator Price (the State senator) was, stating that there was a row on the street. Mr. Price went out on the sidewalk and stopped in front of the office. He stood there a moment. French looked up the street and saw Mr. Price standing on the sidewalk, and he said to him: "You go in, you damned son-of-a-bitch!" and drew his pistol and fired. The ball struck the building in a direct line between me and Mr. Price. Some one stepped up and took the pistol away from the old sheriff, and his son stepped up and requested the pistol should be handed over to him. He stated he would take it home. That is the report I heard. When he got his pistol he took it and went round and came back toward Mr. Price and myself. Mr. Price was not armed, and I told him to go inside, and he stepped in at the corner of the building to the gate, and went to the rear of the post-office. I closed the gate and stepped back to my office door, which was on the rear of the post-office, and stood at the door. Young French came into the gate, and as he came in he fired at me. There was no one else on the sidewalk and no one in sight but him. He fired directly toward me, and the ball struck the wall probably 20 feet below me. I stepped in the door, and as he passed I fired at him. We exchanged two shots. A crowd came around, and his father, the sheriff, stepped up and shouted, "Kill them! damn them, kill them!" I retreated to the chancery clerk's office, and closed the door between us. Mrs. Price, who is postmistress, came up in front of the post-office, round the corner of the square, and followed the sheriff into the office. When she got into the office there were some colored men there, and he commenced upon them with a stick. She ran and grabbed the stick and took it away from him. In a few moments he turned round or recovered himself, and seized her by the throat and pushed her back on the corner of a washstand and was choking her, when some colored men stepped in and took him off. The marshal then came in and arrested him. A good many men came round, different parties, and wanted to know why we did not come on the street and shoot at the crowd. We told them that we had no idea of settling matters in that way. We supposed the law would protect us. One of the parties, the young man with whom I had been shooting, went before the mayor and made affidavit which caused me to be arrested, and I gave bond to appear before the court. I called upon the mayor of the town and asked him to put the sheriff under peace-bonds, but he declined to do it. I said I would make affidavit if he desired it. We wanted peace, and we wanted the convention to go on. In the course of two or three hours the convention assembled

and made their nominations, and there was no further disturbance that day on that occasion.

Q. Who was the mayor?—A. Mr. J. C. Gray. He has since been appointed chancellor of the district.

Q. By whom was he appointed?—A. By the present governor, I suppose.

Q. He refused to take any interest in the arrest?—A. He said he would not put him under peace-bonds, because he would not observe it. I asked him then if he would not put him in jail if he would not keep the peace, but he declined to have anything to do with this matter.

REPUBLICAN CANDIDATES' COFFINS CARRIED IN DEMOCRATIC PROCESSION.

Q. Was he a democrat?—A. Yes, sir; the mayor was acting with the democrats, but had acted with the republicans. They had some processions there that were rather demonstrative in speeches and exhibitions, carrying coffins round the streets. They had a coffin for myself and one for Mr. Price which were drawn in the procession. That was the first procession, I think, about two weeks before the election; it might have been more than that. The coffin for Mr. Price was taken on Saturday night preceding the election in front of the post-office and left there; was there Sunday morning, leaning up against the door, until Sunday about noon, when some of the boys carried it away.

I have had some conversation with other parties in regard to matters there, and I have been warned as to the danger I was in. I had a conversation in regard to preparations that were being made by the club that was organized by the democrats; they told me the club at a certain meeting subscribed for guns. He had subscribed for two. He assured me that so far as he was concerned there they would never be used against me. Then the night before the election they had a procession.

PROMINENT CITIZENS ASK A REPUBLICAN CANDIDATE TO RESIGN TO AVOID MURDER.

Q. Was there a committee that waited on you?—A. There was a committee waited on Senator Price—a committee of three prominent citizens of that town; two of them merchants, probably as wealthy people as there were in the place, and one who was a wealthy planter. They waited on Mr. Price the day before the election, and requested him to withdraw as a candidate for chancery clerk, and told him that they could not insure his life—would not guarantee it an hour unless he did do so; that he was in danger of being murdered or killed, and they could not guarantee his life, or would not guarantee it an hour, unless he withdrew his name; and if he did not do so, and if he was elected, they would not guarantee his life at all; said he could not hold the office.

COFFINS AND CALDRONS AND MEN REPRESENTING DEVILS.

Q. What is his name?—A. William Price. They said that if he would withdraw from the canvass and come down as a candidate, he might be permitted to remain in the post-office, (his wife had the post-office,) and he might be allowed to carry on any other business he might see proper to invest in in that town; but he could not hold the office for which he was running. They, the people, would not submit to it. Mr. Price replied to them, saying that he had lived in the State since 1865, and had never violated a law, that he knew, of the State, or of the United States, and he thought he had a perfect right to run for that office, and should do so; if he would be killed for that, "all right." Upon that, some of them said they might as well go, there was no use in talking with him about the thing any further. They then withdrew,

and he came directly to me and told me this, asking what I thought he had better do.

COFFINS AND CALDRONS, AND MEN REPRESENTING DEVILS.

Then the night before the election there was a procession; they carried coffins the second time, and paraded the streets. Upon one wagon they had a large platform built up, and on that they had a fire built, with a large caldron or kettle filled with tar or something of that kind; and around it men representing devils, stirring up this kettle, and going around it. I saw an old colored man lying on top there, and inscribed around him was "Here lies old Price." They paraded the streets, and came round in front of our building, shouting and hurrahing, some of them calling for a rope to hang Price and Kelley with, and conducted themselves in rather a rude manner. There was no violence to us any further at that time.

OBSTRUCTIONS AT THE POLLS.

A few days before the election the same party that had told me in regard to obeying the men—the day before the election—on Monday, about 10 o'clock, came to me and said, "I wish to see you. I don't want to see you go up to the polls to act as inspector." I was appointed one of the inspectors by the United States court, Judge Hill. I asked him why, and he said, "You have always been friendly to me and my family, and I don't wish to see you injured, and I am fearful when you go there you will be—some harm will come to you." I asked him if he knew anything particularly about it, and he said "No, that was about all he could tell me." I did go to the election, and I staid there throughout the day. I went to the polls, and on the day of the election there was considerable firing of guns. They placed themselves around the polls so that the men could hardly get to them to vote. I noticed this fact, also, that men who wanted to vote the democratic ticket could get in without any trouble. They would be taken in in a different way, and sometimes they would bring in two or three in the back door. I asked them to desist from that course, and to allow all to go in, democrats and republicans. They stopped at that, but men would vote and go out and place themselves on a seat, a bench close round the door, and stand there until they worked up to the door again, and would go out and come back. I called the attention of the board to it, and they said it should not be done, but the thing was repeated after that.

NO REPUBLICAN MEETINGS HELD, AND WHY.

We did not hold any meetings, from the fact that we were informed by parties that if there were any meetings held anywhere in the county, that they had horses ready to attend them, and if anything should be said that was not strictly in their interest, or not their idea of what ought to be said, they were going to denounce the speakers. We desisted from holding any meetings, from the fact that we believed the republicans were solid, and would vote solid on the day of the election. We have been solicited in our county to meet in joint discussion with the democrats, but always refused it, taking the ground that it would not be safe to do it. We thought that in getting the two elements together there would be trouble, and we declined that kind of discussion, and never attended meetings of that kind.

GOING TO CARRY THE ELECTION ANYHOW.

About a week or ten days before the election, the president of the democratic club, J. B. Crowder, captain, as they called him, came into the office, the chancery clerk's office, (Mr. Price was then acting as chancery clerk,) and said that unless they could do something

or other to break the lines, it would not be possible to carry the election. They would have to do something, as they could not get the republicans to attend their meetings; they would not join their clubs, and they would have to resort to some other means. They did not state what means, but said they were going to carry the election anyhow. That was a foregone conclusion—they must and would carry the election.

REPUBLICANS COMPLAIN THEY COULD NOT GET TO THE POLLS.

At some boxes where there was a large republican majority, and the voters in those precincts declared that they would vote the straight republican ticket, the democrats were returned largely in the majority. At the box where I was, the vote was counted, I think, as it was cast. I stood by and saw the count and saw every ticket read myself. At that very poll, I believe there was a majority in favor of the democrats. A good many republicans say that they did not vote because they could not vote as they desired; they could not get in to the polls and went home. Our county has generally given a majority of from 500 to 700 republican.

Q. What was it at the last election?—A. It was about 250 democratic.

MR. PRICE'S COFFIN ON ELECTION DAY.

Q. What was done with the coffins after they were carried in the procession—what was done with the coffins on the election day?—A. The coffin for Mr. Price was carried out and put on a shed in front of the court-house where the election was held.

FIRING CANNON ON ELECTION DAY.

Q. In the public square?—A. Yes, sir, and it remained there all day, remained there a week or possibly ten days. There was firing of cannon and hurrahing on the street all that day while they were firing it.

Q. The day of election?—A. Yes, sir; it was currently reported and believed by the colored people that arms were stored away in the rear of the building where the election was held, in a room occupied by Capt. J. B. Crowder. I do not know as to that. A colored man told me a short time ago that he saw them in that room the day of the election—pistols and guns.

ABOUT DEMOCRATIC CLUBS AND BOXES OF ARMS.

Q. Was there a democratic club organized in the town?—A. Yes, sir.

Q. What were its numbers?—A. I do not know.

Q. Had they arms, do you know?—A. I know nothing more about their arms than what one of the members told me, he had subscribed for two guns, and they had subscribed for guns, the same man who warned me on the day of the election about going to the polls, saying it was not safe for me to go there.

NO ELECTION AT ELLIOT STATION.

Q. Do you know in reference to the boxing of arms on the night previous to the election to send to other places, or anything of that character?—A. I have been told by a half a dozen different men that they saw them box guns on the corner of the public square and ship them to different parts of the county. I did not see it. One colored man with a wagon went to one part of the county with guns. That box did not hold any election. The judge of the election resigned and would not hold it. There were no votes cast there.

Q. What box was that?—A. Elliott station box.

COLORED LABORERS DISCHARGED FOR VOTING REPUBLICAN TICKET.

Q. Have you any further knowledge of matters that transpired there?—A. There were some cases where colored men, acting with the

republican party, were discharged from labor as laborers, because they would not give up their opinions and vote the other ticket. One colored man, for whom I have since secured a contract to carry the mails from the post-office to the railroad, and who was then employed as a driver for a delivery-wagon, was discharged, and they told him they did not want him any longer as they had all agreed not to employ any one unless he would vote the democratic ticket.

NO SUPPLIES TO REPUBLICANS.

In another case, a man who had given a deed of trust for supplies came in for supplies; the merchant asked if he intended to vote the republican ticket and he told him he expected to vote it, when he told him he could not have any supplies if that was his determination; that he would not supply any one unless he voted the democratic ticket now. His name is Robert Reese, the man who was refused the goods; the merchant's name is W. N. Pass.

WITNESS'S OFFICIAL RECORD.

By Mr. BAYARD:

Q. When did you come to Mississippi?—A. I came here in 1872.

Q. Where from?—A. From Kansas. I am a native of the State of Michigan.

Q. What is your business?—A. Deputy collector of internal revenue.

Q. When did you get that office?—A. I was appointed a year ago last April—the 1st, I think.

Q. In 1875?—A. Yes, sir.

Q. What office did you hold before that?—A. I held the office of county superintendent of education.

Q. When did you get that office?—A. I think I was appointed in February, 1873.

Q. What office had you prior to that?—A. I had no office.

Q. What was your occupation?—A. I was acting for the chancery clerk.

Q. Deputy clerk for whom?—A. C. P. Lincoln.

Q. Who was the chancery clerk?—A. C. P. Lincoln.

Q. Who was he?—A. A brother-in-law of mine.

Q. Did you take that office as soon as you came here?—A. I was here probably a couple of months before.

Q. After two months you took the office of deputy chancery clerk, and then county superintendent of education, and then deputy collector of internal revenue?—A. Yes, sir.

Q. The latter office you hold now?—A. Yes, sir.

FRENCH, THE SHERIFF.

Q. Who was French, the sheriff—at what time was he first elected?—A. I think he was elected in 1871 by the republican party, and in 1873 by the democratic party.

Q. He has been on both tickets?—A. Yes, sir.

Q. On what did he run in 1875?—A. On the democratic ticket.

PRICE, THE SENATOR.

Q. Who was William Price?—A. He was State senator from 1871 until 1875.

Q. Did he hold any other office?—A. No, sir.

Q. Is he a white man?—A. Yes, sir.

FRENCH'S STREET FIGHT.

Q. You say the first difficulty you recollect was one between French

and a man who was a delegate to the republican convention?—A. Yes, sir.

Q. When was that convention held?—A. On the 9th of October.

Q. What was that delegate's name?—A. He was a German. It is a German name I cannot recollect now; I may recollect it.

Q. Had he been formerly a political associate and friend of French's?—A. It seemed that he must have had some understanding with him.

Q. There had been an understanding?—A. It seemed so.

Q. That he was to support French in the convention?—A. In the former part of the season, when the canvass first opened.

Q. Did French expect to be the republican nominee?—A. Not then.

Q. Had he been running to get the nomination on both sides?—A. I think not this last year, but he expected the support of this man to carry that part of the county to vote for him.

Q. This man had changed his views when they met?—A. Yes, sir.

Q. And that made French angry?—A. Yes, sir.

Q. Hence the assault occurred on this man by French?—A. Yes, sir.

Q. Was French alone at the time the assault was made on him?—A. This gentleman was standing talking to him when French walked up behind him and struck him.

Q. But it was a sudden personal collision between these men about their political arrangements; this man had promised to give him his support and had failed to do so?—A. Yes, sir.

Q. Was French nominated at the time of this affair?—A. I do not think he was. I don't know that he was nominated.

Q. What was his reason for shooting at you?—A. That I would like to know.

Q. Had he never quarreled with you before?—A. No, sir.

Q. Who was shot at standing near you at the corner?—A. Mr. Price, standing between him and myself.

Q. What was his difficulty with Mr. Price?—A. It was simply a political trouble.

Q. Had he and Mr. Price had any quarrel?—A. He is not friendly with Mr. Price at all.

Q. What had caused their trouble?—A. Because Mr. Price had not supported him for office, I suppose.

Q. Did he want him to support him?—A. Yes, sir; that was what he did want.

Q. Had he sought his aid before?—A. I will tell you that. In 1873 I was a candidate myself for the nomination by the republican party for sheriff, and was nominated over Mr. Price by the republicans of the county. French was a candidate there at the convention which nominated me, and failed to get a vote, so he bolted the ticket and ran on the other side, and was elected sheriff.

Q. French and you ran for the nomination for sheriff in 1873?—A. Yes, sir.

Q. He was then running in the republican convention?—A. Yes, sir.

Q. And you were a candidate also, and you beat him in the convention?—A. Yes, sir.

Q. And then he bolted?—A. Yes, sir.

Q. And got the nomination on the other side?—A. He ran on an independent ticket.

Q. But he got the support of the other side?—A. Yes, sir.

Q. And he was elected?—A. Yes, sir.

Q. Were you a candidate for any office yourself the last election in

1875?—A. No, sir. I was a candidate for the senate, but was defeated in the nomination.

Q. A candidate for the nomination, but not before the people?—A. No, sir.

Q. Was that in 1875?—A. Yes, sir.

GRENADA COUNTY POLITICS.

Q. For which party was Grenada carried in 1873?—A. It was carried for the democrats.

Q. In 1873?—A. Yes; claimed to have been

Q. In 1873?—A. Yes, sir; I want to explain a little in regard to that.

Mr. BAYARD. Certainly, you can make any explanation you wish.

CARRYING THE ELECTION BY A MATTRESS.

A. The president of the board of registrars, in 1873, was a deputy under French; at that time was keeper of the jail on the day of the election. We have an affidavit of one of the parties who was judge at the same box with this man, Giles Smith, who was president of the board of registration. After the polls had closed, in 1873, he went with him with the box to the jail, and when they got there Smith, the president of the board, opens the box, takes out the republican tickets and puts them in the fire, and turns up a mattress on a bed and took out democratic tickets and fills the box. This was in 1873; consequently they carried the election.

Q. Were you present on that occasion when that was done?—A. No, sir.

Q. Have you personal knowledge of the facts?—A. I have the affidavit of the party who saw it.

Q. Was the election never contested?—A. No, sir.

Q. Did that election include other candidates beside sheriff?—A. Yes, sir.

Q. Did it include members of the legislature?—A. Yes, sir; a member of the legislature.

Q. And supervisors, and all that?—A. The supervisors were elected throughout the county.

Q. This thing was a wholesale substitution of ballots of one party for ballots of the other party?—A. Yes, sir.

Q. Were these facts well known?—A. The change of vote?

Q. Of the fraudulent substitution of ballots?—A. It was believed by everybody at that time, and has since been confessed by the affidavit of the party that he was present—one of the board.

Q. One of the parties concerned in that transaction?—A. Yes, sir.

Q. Did nobody contest the seats in the legislature or the right of the members of the board of supervisors, in the face of such a flagrant fraud as that?—A. There was an attempt made to contest that election, but was never carried out.

Q. In 1873 the legislature was largely republican, was it not?—A. Yes, sir.

Q. And yet men were permitted to hold their seats under such circumstances?—A. Yes, sir.

Q. Were those facts brought out before the legislature or not?—A. I think not.

FEELING.

Q. Then the feud between you and French arose by your running against each other for sheriff in 1873?—A. I cannot say there was any feud. I had not had a dozen words with French in my life.

Q. There certainly seemed to be some feeling. He shot at you, you say?—A. Yes, sir.

POLITICAL AND PERSONAL CONTESTS.

Q. You stated that in the first contest Price ran against you?—A. No, sir; he never ran against me.

Q. Had not Price opposed you when you were both in the ranks of the republican party?—A. Not particularly; no, sir.

Q. Price did not throw up in favor of you?—A. I don't think he said a word one way or the other.

Q. French was a bolter in 1873, and was elected as you stated?—A. Yes, sir.

Q. In 1875, did he try to be nominated by the republicans?—A. No, sir.

Q. Did he get the democratic nomination?—A. He did.

Q. Who was his opponent?—A. J. B. Townsend.

Q. Had he been nominated by the democrats at the time he made the assault upon the delegate who had gone back on him, if I may so speak?—A. Yes, sir.

Q. He was then a candidate?—A. Yes, sir.

Q. Who bound you over to appear at court?—A. Judge Gray, the mayor.

Q. The hearing of that affray between you and French was before Gray?—A. Yes, sir.

Q. Is he the mayor and *ex-officio* justice of the peace?—A. Yes, sir.

Q. And bound you over?—A. Yes, sir.

Q. What was the amount of your recognizance?—A. Five hundred dollars.

Q. At what term of the court were you to appear?—A. The last May term.

Q. In 1876?—A. Yes, sir.

Q. Did you appear?—A. Yes, sir.

Q. Have you been indicted?—A. No, sir.

Q. What was done with your case?—A. It was dropped, I believe.

A. Not prosecuted?—A. I was called before the grand jury and made my statement; Mr. Price also was called and made his statement, and gave the names of the witnesses.

Q. In what case were you called before the mayor?—A. In the same case.

Q. Not in a complaint against yourself?—A. Yes, sir.

Q. Were you called in a case in which you were a party?—A. Yes, sir; and inquired of him in regard to the matter between French and myself.

Q. Is that so?—A. Yes, sir.

Q. And then the case was dropped?—A. Yes, sir.

Q. Have you had any difficulty with French since?—A. No, sir.

Q. Has Price had any?—A. No, sir. I have not spoken with him as I know of since.

Q. And you live in the same community with him, and hold no words with him at all?—A. Yes, sir. The witnesses of that for which I gave recognizance, who witnessed the shooting and saw the occurrence, were not summoned before the grand jury at all.

PERSONAL INTERFERENCE WITH REGARD TO POLITICS.

Q. Now, sir, do you know yourself of any case of personal interference by any one with another, in regard to politics, during the last canvass; and, if so, give the name of the person who interfered, and the

person with whom he interfered?—A. As I have stated, there was this case where parties were hired as laborers and were discharged from service.

Q. Do you know the name of the person who discharged them?—A. Yes, sir; the name they gave me.

Q. Do you know the fact except as told by others?—A. I was told by those parties who came directly from them to me and told me.

Q. What was their business?—A. One was driving a delivery-wagon around town for a house.

Q. A black man?—A. Yes, sir; a colored man.

Q. He came to you and told you that his employer had turned him off because he would not vote as he wished him to vote?—A. Yes, sir.

Q. What were the other cases?—A. The case of a man who had given a deed of trust for supplies to run him through the season, and the merchant told him if he voted the republican ticket he could not do it. This man came directly to me and told me. His name is Robert Reese, and is a colored man. The merchant was W. N. Pass.

Q. That was told you by him?—A. By the colored man Reese.

Q. That he refused to let him have the supplies because he did not like his vote?—A. Yes, sir.

Q. What other case do you know?—A. Those are the only two prominent ones.

Q. State any other case that you know.—A. Only from rumor; none that I have any knowledge of directly.

Q. These were not hearsay; your information was derived from one of the parties in the case?—A. Yes, sir; from both.

Q. Before you came to Mississippi in 1872, had you anything to do with politics in any other part of the country?—A. No, sir; but I have always been a republican.

HURRAHING AND FIRING CANNON AT ELECTIONS.

Q. Did you ever see much of politics in any other State?—A. No, sir; I never ran for office or anything of that kind.

Q. Is it any unusual thing to hurrah in processions and discharge cannon, and the like?—A. It is not the habit where I came from; I never saw coffins carried round.

Q. I asked you if hurrahing and firing off cannon was anything unusual?—A. No, sir; I have known that before in processions.

COFFINS AND CRAPES.

Q. In regard to coffins—have you never known a case of a coffin being carried in political processions, coupled with the name of the opposing party?—A. I never noticed that.

By Mr. McMILLAN:

Q. These processions that carried these coffins—I understood you to say the coffins were kept for several days?—A. Yes, sir; in front of the post-office, and also of my place of business, or the business place of my wife.

Q. Were there not instances of crape being tied on your door-knobs?—A. Crape or black rags were tied on our doors frequently.

ABOUT ALLEGED ELECTION FRAUDS.

By Mr. McDONALD:

Q. You said that in certain polls, whereas you thought there were republican majorities, they did not count out that way?—A. Yes, sir.

Q. You know nothing as to the reception of the votes or counting of

those votes at the polls but what you have heard?—A. I know nothing but what I have heard from men voting there at that precinct.

Q. And the election did not turn out as you expected?—A. No, sir.

Q. Do you know how they were received and counted out?—A. I do not know how they were counted out.

Q. Do you know whether the same votes were put in that were counted out?—A. No, sir.

Q. You say you suppose they were not counted out as received?—A. Yes, sir.

Q. How did the result correspond there with what it was before?—A. About as large as they generally ran there before.

REPUBLICAN AND DEMOCRATIC VOTES AND RESULTS.

Q. Was there any increase in the democratic vote there?—A. I understand there was.

Q. Do you remember how large the vote was at that precinct in 1875—the democratic vote?—A. No, sir; I do not remember the exact vote.

Q. Do you remember what the republican vote was?—A. No, sir.

Q. Do you remember what the democratic vote was in 1873?—A. I do not remember the exact number.

Q. That was the year that you say French, or French's friends, changed the ballots in the box?—A. Yes, sir.

Q. How did the county go in 1873?—A. It went as the present one mostly. The officers throughout the county were republican; that is, the officers that were for election at that time.

Q. Did it not go republican with the exception of the sheriff?—A. No, sir.

Q. What other democrats were elected?—A. The legislature—a man ran on the same ticket with French who was a colored man. He was taken up by the democrats and run on the ticket with French.

Q. Then the independent ticket for sheriff and representative, both of them were elected, but the balance of the republican ticket was elected?—A. Yes, sir. But where this thing occurred of the counting out and changing of the ballots, the witness was one of the members of the board, and he has since made an affidavit before a justice of the peace that he was present and saw it.

Q. That was in 1873. Did you understand that the tickets that were put in were straight democratic tickets by these men?—A. Yes, sir.

Q. For all the offices, from the State officers down?—A. Yes, sir.

Q. Well, now, did not your county go republican in 1873 by the usual majority?—A. No, sir.

Q. I see here by the tables that are furnished to us that the republican vote for State treasurer in Grenada County in 1873 was 1,152, and the democratic vote 543. That was in 1873. That was the vote for treasurer of the State. Now, then, if there were so many democratic votes put in this poll, how could that result be?—A. I will tell you how I accounted for it. This board went there on Tuesday night or Thursday morning; they counted it may be as the votes came in, and they counted for certain candidates. That was the object, and they made the change as to a certain amount of votes, and then counted and elected their candidates.

Q. They put in straight democratic votes. Would not that have made the democratic vote larger?—A. Yes, sir; it might have done so.

Q. You see that the return shows only 543 votes in the whole county? A. I cannot account for that particularly, but we have the affidavit of the party in regard to this vote.

Q. But here are the official returns.—A. Yes, sir; there was considerable division among the people. This ticket that run with French's ticket, some of them wanted to vote for Ames, and they voted that part of the ticket and tore off the rest.

THE ALLEGED MATTRESS FRAUD.

Q. I understand you to say that this affidavit stated that he took out so many republican tickets and put in so many democratic tickets?—A. Yes, sir.

By the CHAIRMAN:

Q. Did the same ballots contain the names of the State officers and the local officers as well?—A. They did; they ran two or three tickets with different heads. Some of the tickets were voted by parties and had the republican State officers on with French in it, and the other part of the ticket would be for the republicans.

Q. It would not follow because there was a certain number of votes for State treasurer that all the candidates who belonged to the same party received nearly the same number; there might have been great diversity?—A. Yes, sir.

Q. When was this affidavit obtained, referring to the election of 1873?—A. I think it was made some time probably in June or July, 1875. The reason the party that made this affidavit assigned is this: that Smith had been re-appointed by the sheriff as registrar, and said that he did not want to vote under that man, because he knew what he had done and would do again. That was the idea.

ABEL ALDERSON—HINDS—JEFFERSON.

June 10, 1876.

ABEL ALDERSON sworn and examined.

PERSONAL RESIDENCE AND RECORD.

By the CHAIRMAN:

Question. Will you give your residence and occupation or profession?—Answer. I have been spending the most of my time in Jackson for several years past; my place of residence is in Jefferson County, in the town of Fayette. I am a lawyer, but am not engaged in anything at present, except settling up my old business.

Q. How long have you resided in Mississippi, and where were you born?—A. I am a native of the State of Maryland, near Baltimore. I have been residing in Mississippi over twenty-five years.

Q. Did you take any part in the war?—A. No, sir.

Q. Were you engaged in the political canvass in this State in 1875?—A. Yes, sir.

Q. If you attended any political meetings will you state what meetings you attended, and what occurred, if anything, other than what is ordinary or usual at such meetings?—A. In 1875?

Q. Yes, sir; in 1875.—A. I attended but few in 1875. The most that I did was canvass in my own county. There were two republican tickets there. I took sides with what I supposed to be the most liberal of the two wings.

THE CLINTON MEETING.

Q. Were you at the Clinton meeting in September last?—A. Yes, sir.

Q. State what occurred at that meeting under your own observation, and for what purpose you went.—A. I went as one of the invited

speakers, and intended to make a speech, but did not, on account of the difficulty that sprang up. Just after the opening of the second speech that was being made, I was in the crowd around the stand for a while after Judge Johnston, father of the gentleman that testified here a while ago, was making a speech, when, not being very well and not being able to hear the speaking, there being a dense crowd and I not being very early in getting my position, I went some distance, I suppose one hundred and fifty yards, up a little hill to a grove, and was there with some others taking some ice-cream, sitting in the buggy or carriage, and had been there for some time.

THE FIRING BEGINS.

It was announced that Judge Johnston was through his speech, and that Captain Fisher had commenced his. It was not long before I heard the firing of a pistol, and one or two, maybe three, I cannot recollect as to the number, and then a cessation. The remark around me at the time was that there was a difficulty being gotten up, and I supposed that likely some of my friends were involved in it, and I got out of the buggy and was going to go down. I thought, maybe, that I could bring peace about. I did not know what was the cause of the difficulty. By the time I got out, I suppose, I heard a volley of shots, I suppose twenty or thirty, in quick, rapid succession, and saw a crowd rushing up the hill from toward the stand; and there was again a cessation of firing, and then a tremendous volley of shots, and people scattering in every direction. I walked leisurely back to the buggy that I had been occupying. The persons around me gathered up their things and started in various directions, leaving the grounds.

THE CROWD SCATTERS.

I staid about among the last that left there. I think I was about the very last one; they were scattering in every direction—hundreds. I suppose that I staid several minutes—four or five minutes—and believing that I was in danger, and likely to be shot by either party, as the balls were flying in every direction, I saw but one chance of getting away, and that was toward the depot—the Raymond depot. I walked leisurely in that direction, stopping a number of times. I saw persons flying and running, and some on horseback; women carrying their children, and rushing wildly to make their escape from the field.

After stopping a number of times, I went on a leisure walk down to the depot. In crossing the road leading from that part of the field where the picnic was held, the dirt road that crossed the railroad toward the town of Raymond, I got there just as the white men were coming down, and then quickened my steps a little for forty or fifty yards, and got out of the way of the teams, and went and surveyed the field again. I saw a good deal of shooting. I was not near any of the individuals. I went then quietly up to the depot, and saw a good many men arming themselves, preparing to pitch into the fight; I do not know who they were; they were strangers to me.

A WHITE COMPANY ORGANIZED.

Q. White persons or colored?—A. White persons. I felt in a great deal of danger and apprehension myself, and that everybody was in considerable danger. At one time the thing became so threatening at the depot that I stepped quietly back behind the building, and staid for a little while until things quieted down a little, and stepped out in front again. Some one remarked, I don't know who it was, "Let us go and settle this difficulty." There was a proposition made, and I did not know who it was from at the time. They called him Captain Montgomery.

I am not acquainted with the gentleman. It was proposed to elect a captain. They mentioned his name, and he was voted for unanimously; and as soon as they had elected him captain—his face was rather inviting to me; he looked like a man that might be approached and reasoned with—almost immediately I approached him, and laid my hand on his shoulder and asked him if I could not say a word to him. He looked at me, but said nothing in response, except his looks, which seemed to respond that he would reason. I lifted up my hands and exclaimed, "For God's sake, stop this letting of blood, it is a shame; look at the cotton-fields around ready for picking. I will stake my head that there will be no further difficulty if you will just call off your men." And he got up and made a speech protesting against any further display of weapons. He made a peace speech, and protested very strongly, and said that as they had elected him captain, he would control the action of their movements. Some man—I never did get his name—was sitting on his horse with his weapons. He remarked that that talk did not suit him, and that he would make a speech himself. He had a face less inviting and more fierce in his appearance; but I regarded it as a matter of life and death, and might perhaps save somebody's life at the risk of my own. I threw myself betwixt him and the crowd, and lifted up my hands and said, "For God's sake, stop this shedding of blood;" and pointed to the cotton-fields ready for picking, and said I, "Those hands and that cotton are the wealth of the country," and again pledged my head that if he would draw off the men, that I would go among the negroes, and quiet should be restored immediately.

I told him and Captain Montgomery that the negro women were crying and running for their children, and asking me if they could not go and get them, and I did not know what to tell them. I told them to stop the matter, or rather begged of them to stop it, and to my gratification and no little surprise this gentleman turned and walked back and got on his horse, and the thing stopped there. They did not move off.

Q. What time in the day was this affair at the depot?—A. That at the stand took place, I suppose, about 1 o'clock—the first difficulty. I suppose it was half an hour after that, or maybe more, before this affair transpired at the depot that I have just been relating. There was some hot expressions made use of, by whom I do not know. A motion was soon made that a squad of colored persons who were off in a cotton-field should be dispersed. I told them that they were making their way out of the difficulty, and would like to get home, and some of the crowd seemed to be the same crowd that had asked me if they might not go and get their broken buggies, their mules, and their children that had been scattered and dispersed; and, said I, "They only want to go back and gather up their broken buggies," &c., and to let them go. The proposition was immediately followed by "Make every nigger leave the depot." I interfered again with Captain Montgomery, for I felt perfectly safe with him, for although he was a stranger to me his face was very inviting. He appeared to be an excellent man, and a man of firmness.

An old colored man who had come down with me, who is quite a friend of mine, and he went down under my protection, and was at the depot—he came up to me, and wanted to know what he should do, and I told him to go back and keep his seat. I immediately spoke to Captain Montgomery, and asked him if that negro man might not stay, and that I would vouch for him as a quiet, peaceable man, and was too old to walk home, and that he was under my charge, and if they would

let him stay I would see that he went back to Jackson. He told me to take charge of him, and he staid.

JUDGE JOHNSTON'S SPEECH, AND HIS AUDIENCE.

There was no further demonstration by that party, except some few remarks, perhaps, that I don't particularly remember now, some little personal disputes betwixt them, and some other parties casually moving around there. By this time, Judge Johnston had come up. I don't think he had got out of the stand when the shooting commenced.

Judge Swan, who, I think, testified before you this morning, also came up, and he and I had some little conversation, and we also conversed with Judge Johnston. I went to Judge Johnston, and asked him to use all his influence to stop further difficulty, if possible, and I think he did. I know there was a negro man that drove them up to the depot, and Judge Johnston said to the gentlemen in arms that he was a good man, and had brought him from the speaking-stand, and that he would vouch for him being all correct.

Q. Did you hear Judge Johnston's speech?—A. No, sir; it was such a large crowd that I could not get close enough, and I could only hear a word now and then.

Q. What was the conduct of the crowd when he was speaking, orderly or otherwise?—A. Very orderly, sir. I was once or twice close up, a little closer, perhaps, than from here to that building across the street, perhaps 60 feet. It was a warm day, and the limbs of the grove hung low, and seemed to deaden the voice of the speaker.

Q. Were there any expressions heard by you of approval or disapproval as Judge Johnston went on?—A. No, sir; I think that they were generally satisfied with Judge Johnston's remarks. I don't know whether it would be pertinent to the matter or not, but before the speaking opened I was consulted with some others whether they would have a joint discussion. I agreed that I was opposed generally to joint discussions; but that I had such a high respect for Judge Johnston as a moderate mild man that I would advocate with him, and some of them remarked that he was so mild and persuasive in his manner that he was more dangerous than a more hostile bitter man, and preferred he would not speak; but it was ruled that he should be heard; and from what I saw I think that his speech was well received. I could occasionally hear a word, but I had been a little unwell, and in the order of speaking, knowing that I would be perhaps the third——

ABOUT THE FIRING.

Q. You mentioned that you saw some firing. Were you situated so that you could distinguish who the persons were that were firing?—A. No, sir; I did not know who fired the first shot. I didn't know anything about the first part of the difficulty except from newspaper reports and from persons who were there.

Q. But the shots that you did see fired?—A. No, I could not distinguish who they were.

Q. Do you know whether they were fired by white or black persons?—A. No, I do not know that I could state that. I know my own impression very well. I suppose the nearest firing to me was one hundred yards off; I expect fully a hundred yards. It was about one hundred and fifty yards from the stand where I was sitting in the buggy, and there was an immense crowd around us so that I could not see anybody who was using a weapon, and after the crowd dispersed the shooting was all around in every direction. There was a good deal of under-

growth and little bushes where there had been a cotton-field, and occasionally parties were obscured by that brush and undergrowth.

I could not say now that I saw distinctly any one firing a shot; that is, that I knew. I could not tell from the firing. I supposed they were white men mixed in with the colored men; but I could not state anything positive in regard to that.

UNIVERSAL SUFFRAGE AN OCCASION OF DIFFICULTY.

By Mr. BAYARD:

Q. How long did you state that you had been identified with the people of Mississippi?—A. I have been here over twenty-five years.

Q. What is the occasion, in your opinion, of this difficulty between the races here?—A. Well, there are a number of causes, sir. The first cause was admitting the colored people to the right of suffrage.

Q. That was a very new question and raised feeling?—A. Yes, sir.

Q. Before I ask you in regard to the course of the State authorities in this very difficult time, I want to ask what part has the administration of the State, in the hands of Governor Ames, had toward creating this feeling or fostering this feeling of bitterness between the races that led to this state of things that you described.—A. Well, in that I would be compelled to state pretty much my own opinion, drawn from facts that I was an eye-witness to.

GOVERNOR AMES CRITICISED.

Q. And that I want you to state; give us some idea of that.—A. At the time, my advice was prompt and pointed, and it was opposed by some prominent republicans, particularly by the administration of Governor Ames. I will state, in the first place, that I thought at the time, and I believe so now, that I did more to get Governor Ames the nomination for governor than any single person in the State. I did not like the course that Governor Alcorn had pursued, and I thought that he had acted very badly toward the party. I am a republican, and being a republican I am also a Mississippian and a southerner. My object has been to mete out equal and exact justice to all men without regard to any condition that had previously surrounded them.

I did not like some proceedings of Governor Alcorn, and did all I could to defeat his wing of the republican party, and myself and others succeeded in getting the nomination for Governor Ames. I was his staunch friend and adviser, and consulted with him a good deal, and he frequently asked my advice. Most every person thinks his own course is right, but I became alienated, whether justly or unjustly I would not say, and ceased to approach him; but when the difficulty broke out at Vicksburgh, and prior to that, I urged those that had immediate access to the governor that he should go down to Vicksburg and take Judge Johnston, a few such men as he, and some warm republicans, prudent, discreet men, white and colored, and try to settle the difficulty there. Frequently heated disputes arose betwixt the two wings of the party. It was suggested that I wished to get Governor Ames killed off. I told them that that was the only way to settle the difficulty; that a serious and bloody difficulty was brewing rapidly, and that we could not meet opposing ranks in the open field in fight—we could not do it; it was no use to talk about it; we had the numbers but we hadn't the organization and could not organize, and it would have been imprudent to have done it.

THE VICKSBURG AND CLINTON DIFFICULTIES.

I was for peace, and for sacrificing a little feeling for the sake of peace. The friends of Governor Ames advised him not to go, and he

did not go. I will state here, as wishing to be just to all parties, that had I been in Vicksburg I would not have consented that an armed force should come into the town, and I will say further that if I had been there I feel certain now, and did then, that I could have gone out without a weapon and turned back the colored element. I have several times thrown myself in the breaches, and have never failed to succeed; but the difficulty occurred at Vicksburg, and the Clinton riot was a natural offshoot that sprung naturally out of the Vicksburg difficulty. I so thought at the time, so expressed myself, and believe so yet. I did not approve of the course that Governor Ames pursued. I thought he should have called around him some better advisers. He had around him some very good men, and I thought some very indiscreet advisers. I was gratified eventually to find out that all parties, and I called attention at the time when the thing was developing and ripening into difficulty, that they would see that the course I advised was the prudent course, and they would have to come to it, and they finally did do it.

MOST SICKENING AND HEART-RENDING SHOOTING.

I suppose that ordinary prudence at the time could have stopped the difficulty at Clinton, that sprung, as I said, naturally out of the difficulty at Vicksburg. After that had taken place, I came up here on the first train that came on, and found a large force here. Mr. Johnston, that just testified, was, I think, in the crowd. Judge Johnston came up with me; and I asked of them to do all they could to stop the difficulty. I asked them not to go down, as I thought it would be indiscreet to go down; that perhaps it would stimulate more difficulty; but I knew some of them—Frank Johnston, the gentleman that has just testified—I knew that he was a very discreet and competent man, and I think I addressed him personally, and asked him to use all his influence to stop any further difficulty; that I thought it was all over. They went down, and I think, from the reports they made to me, and from what we heard from republicans and democrats, that their visit was beneficial. But the next day the shooting was continued by a band of men from some quarter, I don't know where. Some said from Vicksburg; others denied it; but they moved around in the country, killing or destroying life, until it became one of the most sickening and heart-rending things that I have ever witnessed in my life.

DEMOCRATIC OFFERS TO GOVERNOR AMES.

This gentleman, Mr. Johnston—I don't know the fact, except from his own statement and the statement of other parties, and other facts that corroborated it—offered their services to Governor Ames to suppress further difficulty, and offered, I was told—and I state this to give you my opinions in regard to the actions of the administration—they offered to go forward and be sworn in as special deputies, without any charge to the State, to suppress any further difficulty, and arrest and bring in every man to trial, and see that he was prosecuted and a fair trial had. I had urged then that they should be accepted. I opposed the arming of the militia, opposed it all the time, and told them that we could not possibly oppose the democracy; and in saying democracy, I do not wish it to be considered a reflection on the whole party. Some of my very best friends are among the democrats, and I suppose I have got some enemies among the republicans; but I know human nature well enough to know that one party could not be arrayed against the other in open hostility and succeed. I knew that we would have to submit to inconvenience and to offenses; I knew we had been doing it; I had been doing it myself. I have done it for the example, and have called the negroes'

and others' attention to it, that I have been persecuted and trodden down, and they must submit; that it was natural that there should be prejudices; that they always had existed, and that they would gradually wear out, and eventually we would reach a better understanding, as the prejudice died away, and the rights of all parties would be understood and recognized; that they must wait patiently until that time came. I could not approach Governor Ames, I had no influence with him, but I hung with a great deal of anxiety and earnestness about his most intimate friends and advisers, and urged them to push that point—to accept of anybody that would stop this blood-letting.

THE OFFERS ARE REFUSED.

Q. Your whole scheme was one of conciliation, then?—A. Yes, sir; entirely one of conciliation. I knew that we could not fight; that that was perfect nonsense, and that we would have to conciliate, and we could not afford to conciliate by putting arms in the hands of the colored people "to check up"—I was going to say—the democratic party; but there is a large portion of the democratic party that are peaceable and well disposed. It is only the wild and ungovernable portion that gives character to the whole concern; and when their blood is once up, and excited feelings aroused, and prejudices stirred up, good men, otherwise prudent, would be involved in it, and take sides eventually with their own party. That is a very natural thing. Well, they made an effort, and did get up the militia. They refused to accept the proffers made from some of the best citizens, and I think some as good citizens as I ever knew in my life.

Q. You mean to say that Governor Ames's administration refused their aid to assist in conciliating matters?—A. Yes, sir.

Q. You attributed the outbreak at Clinton to be in consequence of this difficulty at Vicksburg?—A. I think it sprang naturally out of that.

Q. And the feeling at Vicksburg you traced to the policy pursued by Governor Ames in regard to that difficulty?—A. No; but I think he could have stopped it. I would have gone there had I been governor. I would have taken, as I suggested to his friends, a few such men as Judge Johnston, Judge Campbell, now of the supreme court, and some warm republicans, Judge Tarbell, General McKee, and some colored men, prudent men, and men of property and standing, and would have gone there and consulted with the parties. In making this remark, I do not justify the course pursued by the people of Vicksburg in stirring up this riot.

THE REPUBLICAN WINGS.

Q. I did not understand you to say that at all; I merely speak of your criticism upon the way Mr. Ames met it.—A. Yes, sir. He did not meet it right, sir.

Q. May I ask you whether his course in this respect alienated from him a large body of the republican party?—A. I think it did, sir.

Q. Did that lead to a schism in the ranks of the republican party in the last election?—A. There was, as I remarked, two wings to the party. There had been a conflict between the Alcorn wing and the Ames wing, and it continued to widen; and this difficulty, his pursuing that course, still further widened it, and it was widened on this account. Some said, and justly, I suppose, "Why, you just fight off things; that the law was open, and if the republican office-holders and some objectionable parties had done wrong, appeal to the law." I knew that when passions were aroused the law was very slow in its course to regu-

late things. Some disapproved the governor's sacrificing his dignity by going into a crowd that way, or going to the city. I told them that dignity was nothing, while life and death, and a large number of lives, perhaps, would be involved. I think that he could have conciliated; I would have made the attempt. I believe it could have been done, and I think so yet.

Q. Can you state any act of a conciliatory character in regard to this feeling toward the opponents of his party during his administration?—A. Well, I do not know of any special act. He did acts, I think, that I remarked at the time he thought he was doing something that he expected would produce a better state of feeling. He was taking some new-fledged republicans around him that a good many thought became republicans for the loaves and fishes.

Q. Was his conciliation confined to the distribution of his patronage?—A. No. I mentioned that, as I think he intended it as a conciliatory course.

Q. Was that intended as conciliation, or to strengthen him in the State?—A. I can just give my opinion, that while he was doing that he was alienating a great many of his friends, and making his chances for what he was accused of—getting into the United States Senate again—less. He may have thought that he was strengthening it; but the most of us concluded that he was trying to conciliate, and that it was bad judgment that prompted him in that course; that it would have been better to have united the party and bound them together and made them as one, instead of trying to get up an Ames wing.

THE PEARL RIVER SCHEME.

Q. Do you know anything of a scheme called the Pearl River improvement, by which the public lands of the State were given to some parties upon condition?—A. Nothing but what the newspapers have spoken of, and the acts of the legislature, and did not know anything about it personally.

Q. You have no personal knowledge, and cannot therefore speak?—A. No, sir; nothing at all.

PERFECT QUIET IN FAYETTE.

Q. I observe your home is in Fayette, Jefferson County, some distance from here. Were you there on the day of the election?—A. Yes, sir.

Q. What was the character of the election in the county as to peace and good order?—A. Perfect quiet; I don't remember now of having heard a single harsh expression.

Q. Were you in many other counties during the canvass?—A. No; I canvassed very little. I did not like the condition of things, and I merely wanted to defeat a certain set.

"MOSTLY PEACEABLE" SINCE, BUT "SOME MURDERS AND A GREAT DEAL OF BLOODSHED."

Q. Since the election has taken place, what has been the general temper and condition of the country, peaceful or otherwise, since last fall?—A. Mostly peaceable; there have been some murders and a great deal of bloodshed.

Q. Where?—A. Well, in different places around.

Q. State the places.—A. I do not know. We are so familiar with those things here that we make no note of them hardly. I was reading in a paper only to day of a little difficulty that occurred in Vicksburgh only on Saturday last, of shooting and killing.

Q. Do you know what the cause of it was?—A. No; except from the papers.

Q. Was it purely a personal difficulty?—A. I suppose so, according to the papers.

Q. Well, have these things of which you speak political origins, or are they personal disputes settled in this way?—A. The most of them, I think, are personal disputes. The temper of the people has become exceedingly soured. There has been a state of feeling, a state of irritation, a continued irritation, so that the passions of the people are easy aroused; the disposition to give way is becoming more and more apparent. I find it in myself; I do not think I am as patient as I was three or four years ago.

THREATS ON THE STUMP.

Q. What are you impatient against?—A. Well, I do not like to be disputed in my course. I sometimes check myself up and find that I am foolishly giving way to passion that did not have its origin—that there was no sufficient cause in the act itself; and I have been very much ashamed of myself. I think it is from the fact that I feel that I have been very much—have been trodden down. I am naturally very fierce myself when aroused, and I do everything to keep out of it. I have been in a great many places during the canvass where shots have been fired around me, and threatened if I did not come off the stand they would kill me, and I told them to shoot.

Q. When was this?—A. This was several years ago.

Q. I was more particularly inquiring about the canvass of 1875 and the events since that time.—A. I think the tendency of all parties from the hostilities that have been, demonstrated that the people are less amiable, and I think that these things have worked upon my own feelings; and these shootings and murders that occur, although a great many of them are private difficulties and disputes, I think that the minds of the people are prepared for it pretty much by a hostile state of things.

COURSE OF PAPERS THE CAUSE OF BLOODSHED.

Q. Is this the state of affairs throughout this State?—A. I think so, sir. I have remarked that where the papers have been very bitter there has been more life taken and more blood shed; and where the papers have been of a moderate and conciliating character, I have made this remark to my friends—I have called attention of other parties to it—and they have agreed with me that the fierce spirit manifestly kindled by the papers and by the hot, restless, and impetuous citizens has had a tendency generally to——

EFFECT OF THE COURSE OF THE STATE ADMINISTRATION.

Q. Let me ask you, do you consider that this condition of affairs of which you speak as existing in the State, was owing in any degree to the course of the State administration within the last few years?—A. I do, sir.

MR. NORDHOFF'S LETTERS.

Q. Do you give it chief weight as a cause?—A. Well, I do not know. It is a hard matter to give a perfect understanding and perfect description of things with perfect consistency. I have never seen but one letter-writer yet that was master of the subject—a gentleman from New York that traveled through here. I read his letters, but I cannot call his name just now.

Q. Was it Nordhoff?—A. Nordhoff; that's his name.

Q. Do you consider that those letters present a fair picture of the state

of things here?—A. Some of them. Some of them I do not think did; but in two or three of his letters, and I do not know which now—I have got one of them, I think, marked and laid away in my office, which is a true statement of facts.

Q. There is a chapter in that book, I believe, on Mississippi?—A. Yes, sir; I think that I marked one of the letters as a true and correct statement, and called the attention of my friends at the time to it.

Q. Do you remember the chapter on Mississippi?—A. I did not read the book.

Q. You saw it in the newspapers?—A. Yes, sir; only a few letters. I think I have the letter that I was particularly struck with in my papers.

Q. Is it long?—A. Yes, it is lengthy. I being a republican, and being a citizen, and expecting to live in the South, all my interests are here, or most of them at least, and starting out with a new doctrine to advocate the rights of a newly-enfranchised people, I knew that I would have to meet with difficulties, and I knew that I would have to bear up under many reproaches, and I was anxious that we should give as little chance for complaint, and I knew that we would have to do it, and last winter I went to some of the leaders of the legislature, prominent and active parties, and talked with them in regard to some acts they were about to pass; I told them that they ought not to pass them. I condemned Governor Ames very much for signing the bills. The Gatling gun law was one, and one was the law appointing tax-collectors; that was anti-republican and opposed to the principles of the party, and opposed to the principles of republicanism anyway.

WHY ENFRANCHISEMENT DISTURBS THE PEACE.

By the CHAIRMAN:

Q. You spoke some time ago of the enfranchisement of the negroes as having contributed in some way to disturb the peace of the State. Will you explain your views on that subject?—A. It is very natural; a Northern man cannot understand it as well as a Southern man; but it was very natural that strong opposition should spring out of the fact of their having the right to vote, and they did not stop to reason about the justice of the matter. That hostility never ceased, and those who took an early part in it, although the better class of the democrats, I suppose, forgave them—I think that with regard to myself I have got some warm friends among the democracy, who give me credit for honesty of purpose and a disposition to do justice. I do not think that they have any unkind feelings upon that ground; but there are to this day, and only recently I read it in a democratic paper, that they never would forgive persons who took part against them. That sprang out of a little controversy between two papers, one intensely republican and the other intensely democratic, and the republican remarked that they were no more disposed to keep the bleeding wounds open than the democrats were, and I called attention to this article in the democratic paper. It was not proposed ever to forgive and to become conciliated with those who took part with the republican party. I do not think it is general at all, but there is still that feeling, and it will never die out with this generation.

TURBULENT CHARACTERS INFLUENCE COMMUNITIES.

While I condemned Governor Ames, I also condemned the parties in the opposition, that they could have appealed to the law, and what the the law decided they should abide by. I am perhaps more rigid in my criticisms upon men of my own party than upon the democracy. I wished to act in such a manner that they could find no excuse, and as I have often said and thought, and think now, that if we had been a little more pru-

dent we might have won over some of the milder democrats to approve of our course, and their influence would have been perhaps sufficient to have checked up the worst element in the party, which I am glad to say I do not believe is very large, but it gives character. One turbulent man is acquiesced in in a neighborhood, and perhaps he will give character to that whole neighborhood, and those that could check him up and did not do it have to suffer a good deal of the same kind of reputation that he is winning for himself.

A HOT TIME AFTER THE CLINTON RIOT.

By Mr. CAMERON:

Q. You stated that, after the difficulty at Clinton, bands perambulated the country and committed excesses. Who were those bands, whites or blacks, from the information that you have?—A. They were white people, and I tell you that it was a very hot time, and the most prudent men had to be very cautious. I saw the thing brewing and left the State, because I was apprehensive that there was going to be more blood shed than there was; I went to Saint Louis, and watched the papers—the telegrams—for some time; and it was a good while before I would return. I wanted things to quiet down, and I heard my name mentioned by some person, I was told in the neighborhood of Clinton, that I was a republican; and I was told afterward—I saw them watching me—that there was a negro man killed that they persuaded to go out with them that day, (I don't know who the party was;) and I gave him or some one a severe lecture for telling who I was, in the state of excitement. They might simply know that I was republican, without knowing any of my acts, and they might suppose that I merited death, and I might be shot down.

Q. Were you apprehensive of personal danger to yourself, Judge?—A. Yes, sir. Not from persons that knew me; but I expected to have seen this city just drenched with blood. I looked for nothing else, and got out of here. In the general blood-letting, I supposed that I would not be distinguished from anybody else that belonged to the party. They would merely say that "He is a man that made speeches and helped build up the party, and he is responsible; take him off." I do not know that there were any threats made; but there was something in the atmosphere that you in the North know nothing about, but we know here. I have never shrunk from going to speak. I have made speeches when they have made threats, and I sometimes swear when excited and curse back at them pretty sharp; and they flourished pistols and called names; and invited me to their houses afterward.

FIFTY MURDERS AFTER THE CLINTON RIOT.

Q. From the best information that you have, Judge, how many colored persons were killed subsequent to the Clinton riot?—A. I can only say now—I could not take up individual cases and count them up—but from the reports in different directions I do not think there were less than fifty murdered after the Clinton riot. Some estimate thirty, but that was my remark, that I do not think there were less than fifty of them shot down. There is one thing that occurred at the depot. There was a colored man came up right off of the field just after I had got to the depot, and he was attacked by two men. I don't know who they were.

Q. Two white men?—A. Yes, sir. They drew their pistols, and he charged them with being the instigators and causing the shooting. They tried to stop him. It was at that time and I thought he was very indiscreet, and I expected to see some shooting, and I left and went behind the depot or some of the buildings there; and I remarked to him afterward that he

was very imprudent; and I remarked to some others that I never saw more daring courage exhibited by anybody than he showed on that occasion. Since then I have understood that he has been killed.

FEELING OF DREAD AND INSECURITY AMONG THE REPUBLICANS.

Q. State whether immediately after the difficulty at Clinton there was or was not a general feeling of insecurity and dread among the republicans, and particularly among the colored republicans, of that locality, and to some extent throughout the State.—A. O, yes. There were a great many who came to me and told me they would not go to the polls, and that they would advise their friends to vote the democratic ticket, and the only way to have peace was to do so; that their lives were insecure. I felt satisfied that that would be the course pursued to a great extent. I predicted that the State would go democratic, but I did not think it would go so as largely as it did, and I do not think that anybody did. I do not think I am easily intimidated; I have encountered some very dangerous-looking things, but I got out of the State. I did not tell anybody, except one or two friends, what I was going for, and I felt no apprehension from anybody that knew me. I do not think that that man lives that knows me would intentionally wrong me, but when persons' prejudices are aroused they cannot take in and digest a fact as well as a cool and calculating person. I never intentionally wronged any man, and would not do it.

In joining the republican party, I was among the first in this State to defend the right of suffrage, which was given to the colored people from necessity, and was the only safety that they had. I opposed their voting in the first place until I saw that the only safety that they had was in the ballot; that they must be a power to make themselves felt by the political parties, and I knew that the Government would have to stand by until their rights were secured. I then hoped, even if it defeated the republican party at the time, that there would be something that would spring up that would divide and lead a portion of the democratic ranks with us; but still I hoped that we should have enough of our own party left to carry the republican ticket. I was in hopes that something would spring up and some of the colored people would side off to the democratic party, and that a conciliating spirit would be shown by all parties; but in doing that I still hoped that there would be enough left that we could carry the republican ticket.

POLITICAL EFFECT OF THIS FEELING.

Q. What effect, if any, did this feeling of dread and insecurity have in preventing the republicans from voting in the State?—A. Some of the colored men came out with letters and advised their friends to vote the democratic ticket, as they felt themselves insecure to vote the republican ticket; and I will say here that they put up some very objectionable candidates on the republican ticket. In my county, there were two republican tickets, and I took side with what I regarded as the most liberal of the two.

Q. Why did these colored men who published the letters of which you have spoken advise their friends to vote the democratic ticket; what reasons, if any, did they give?—A. Some of them told me. I cannot recollect of but one who wrote a letter, a man by the name of Johnson here, and he was severely censured by the republicans; and he was talking with me. I told him that I did not blame him for his course, that if I had been here I should have voted for Judge Johnston on the democratic ticket. I should have voted for Caldwell for senator, who was a colored man, and who has since been killed. There were a great many

republicans who cut up their tickets. We had had things our own way so long that the less prudent and discreet thought we were perfectly invincible, and all we had to do was to make a formidable show of numbers, and the thing was done. I told them winter before last that the storm was coming; I knew it was coming, and I felt certain that we would lose the legislature.

Q. Were you of the opinion that the republicans exceeded the democrats numerically in the State?—A. O, very largely.

APPALLING MURDERING AFTER THE CLINTON RIOT.

Q. Why, then, did you think that the democrats would carry the election?—A. Well, I told some of my republican friends that a large number of republicans would not stand the course that was being pursued; that it was cause for offense. It was true that the State was not much in debt, but the taxes were heavier than the people were used to paying, and it was being felt and complained of; and whether there is a just cause of complaint or not, when people commence to complain they are going to be heard. I knew that, and I wanted to take all just complaint or reasonable complaint away from them, so that they should have no excuse. I remarked myself to some of my friends that they would not stand it, and that I would not myself. I advocated the election of Judge Johnston. The murdering after the Clinton riot was truly appalling; it was terrible.

Q. Was it a murdering of the negroes or a murdering of the whites?—A. O, of the negroes; there were two or three white men, I think republicans, that were killed.

Q. How many white democrats were killed, that you have knowledge of?—A. I don't think there were any of them; I do not remember any except the three that were killed on the day of the riot.

THE MURDERS DETERRED REPUBLICANS FROM VOTING.

Q. I ask you whether or not the fact of these murders deterred the colored republicans from going to the polls and voting?—A. O, I think it did, sir; I have no doubt about that.

RELATIVE RACE POPULATION IN JEFFERSON COUNTY.

Q. Is the county in which you reside a republican or democratic county—understood to be?—A. It is largely republican, sir.

Q. What is the proportion in number of the two races in your county?—A. About three to one republican. There were, too, a good many whites who voted the republican ticket there; there was no democratic ticket run in that county.

The CHAIRMAN. Jefferson County had, in the census of 1870, 3,215 whites and 10,633 colored.

NUMBER OF MEN KILLED AFTER CLINTON.

By Mr. BAYARD:

Q. You were asked by one of the committee to give the number of men killed at Clinton after the riot?—A. Yes, sir.

Q. And you stated that there were estimated from thirty to fifty?—A. Yes, sir; some placed it at thirty. I placed it myself, without being able to count one, two, and three—I just made a rough estimate, and just called it fifty.

Q. Do you know the names of any one of those fifty men?—A. I am not good at remembering names. There are some parties that I was in conversation with a day or two before; one was, I think, the man I advised not to go out, and he was killed the same evening that he went out; I don't remember his name.

Q. You spoke, for instance, of a colored man who drove you or some one down to the station and behaved bravely?—A. Drove Judge Johnston.

Q. You stated that you heard afterward that that man was killed?—A. No; the man that came up to the station just after I got there, and was attacked by some men.

Q. It was another man; you spoke of a man who came up and behaved with courage in your presence?—A. That was the one, and he charged the two white men that they were the instigators of the difficulty there; and there were some hard words used, and he shook his finger at them and told them that they knew that they were guilty, and they cursed back. I cannot call his name now.

Q. You said that you understood afterward that he was killed?—A. Yes, sir; some time ago.

Q. Do you know whether he was killed?—A. I do not.

Q. Do you know whether he is alive or dead to-day?—A. I do not.

Q. Have you any better knowledge in regard to any of those fifty than you have in regard to him?—A. I did not see a single one, sir.

Q. Would you state, as the basis of your knowledge in regard to this fifty or thirty men, that it was a matter of hearsay whether they were killed or not; that the newspaper reports and flying reports are what you base your statements on?—A. Yes, sir.

By Mr. McDONALD:

Q. You were asked, Judge, if, after the Clinton riot, armed men were not perambulating the country and shooting negroes. Were not those armed men confined to the armed force that gathered there at Clinton, partly from here and from other parts of the country?—A. I have no knowledge who they were.

Q. It was in the neighborhood of Clinton only?—A. No; it covered a large scope of country.

Q. Did you have any knowledge of that except these flying reports that you heard?—A. O, no.

Q. Nothing at all except the rumors floating in the country?—A. Yes, sir.

Q. Were you back at Clinton at any time shortly after the 4th of September?—A. No; I have not been there at all, but just passed through on the cars.

Q. You never went there to make any inquiries about it?—A. No, sir.

By Mr. BAYARD:

Q. Are you personally acquainted with Mr. Frank Johnston?—A. Yes, sir.

Q. Have you known him a long time?—A. I have known him for several years.

Q. You consider you are well acquainted with his character?—A. I think I am, sir.

Q. If Mr. Johnston told you that he had made a very thorough examination of that riot from beginning to end by a visit to that place, and the examination of a number of witnesses there a few days after the occurrence, would you implicitly rely upon what he told you was true about it?—A. Anything that Mr. Johnston would state from his own knowledge I would believe. I have a very high respect for Mr. Johnston. I think he is one of the cleverest men I ever met with. I think he is a very high-toned gentleman. A half-grown boy went from here had his arm shot to pieces. I don't remember his name now, but

he gave me a good deal of information. I got information from others—eye-witnesses. I don't really know their names; but I don't think the estimate of the killing at Clinton, and around there, was ever estimated at less than 30.

By Mr. McDONALD:

Q. At Clinton, and in that immediate vicinity?—A. Yes, sir. When speaking of Clinton it generally was understood to include a radius of 4 or 5 miles around there.

By Mr. CAMERON:

Q. If Mr. Frank Johnston made a statement that he had made a thorough examination, would you conclude that that was absolutely true or merely that he really believed that he had made a thorough examination?—A. I would not conclude anything; but whatever Mr. Johnston would investigate and state upon his word of honor, that I would give credit to. In short I do not know a man for whose moral worth I have a higher respect than I do for Frank Johnston's. Still I think he was liable to be mistaken, as he was not present at all these things, and I know that when they went down there that night the excitement was terrible, and the accusations went backward and forward, and there is very little proof and but few facts that could be got at to fix the origin of the difficulty. I have heard persons from close by, and from different places around, who gave slightly different versions. One that was standing directly and checking up Caldwell, who is now dead—checking up the difficulty—he saw things that transpired immediately in front of him; and others standing around saw things little differently, and did not see exactly what he did, some little variation in the statement of material points.

I merely state this, in my leaving the State I found that my advice, my idea of the course to be pursued was not followed. I knew from the circumstances, and from my knowledge of the law and constitution, and having seen from Washington City the expressions of President Grant and some of the Cabinet, it was impossible to get troops here. I am opposed to troops any way. I have never been benefited by them, and I knew that the thing would have to be managed by our own prudent course, and that we would have to use actions and words that would be conciliatory. And that was the course that I advised, and when I could not succeed in that, to save myself I had all my property insured and left the State.

G. T. SWANN—HINDS COUNTY.

JACKSON, MISS., *June* 10, 1876.

GEORGE T. SWANN sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. What is your profession and occupation at present?—Answer. A lawyer by profession originally, but have not practiced it for a long time. At present am clerk of the United States court of this district.

Q. How long have you resided in this city?—A. I have been a citizen of Mississippi since October, 1836.

Q. Had you personal knowledge of the political canvass of 1875; if so, will you state to the committee what it was?—A. I had not much

personal knowledge or personal observation. I was very frequently informed of the progress of the canvass by report, sir.

Q. Did you take any part in it yourself?—A. No, sir; I did not.

Q. Did you attend any meeting?—A. I was acting chief supervisor of elections for this district, and confined myself exclusively to my office.

Q. Did you have any reports made to you by persons engaged officially in your district?—A. There were very few. After the election a few of the supervisors commenced to make reports to me, very brief reports; and about that time the circuit court was held, and the district judge who held the court instructed me that those reports were not required. These local reports were not required, and afterward when it was proposed to make reports I declined to receive them, as the judge had informed me that they were not required.

Q. Did you attend any political meeting during the season?—A. Only one.

HE ATTENDED THE CLINTON BARBECUE.

Q. Where was that?—A. I attended at a barbecue at Clinton early in September—the 4th day of September, I think.

Q. Will you state to the committee what occurred there?—A. A great deal occurred there that day, but I can only state what occurred within my own personal observation. I suppose you only wish that.

The CHAIRMAN. We will take that first.

The WITNESS. I was attracted by an advertisement to hold a barbecue at Clinton, and the report that there would be a number of political speakers there on that day, and I went from this place on the morning train to Clinton. I remained there during the day until this difficulty occurred. After it was over I made my way home as soon as I could get there. I was present at the time the outbreak occurred; not immediately at the scene of the occurrence, but within, I suppose, some fifty or sixty yards of where the difficulty occurred. It commenced under the hill and out of my view. I only heard the firing and commotion. I suppose it would be in order to say what I saw?

The CHAIRMAN. Yes, sir.

The WITNESS. I can give you some little narrative, by way of introduction, of what I have to say. I spent most of the morning in the town of Clinton, sitting about on the sidewalks with my friends engaged in conversation, and looking out for friends I expected to see. The ground on which the barbecue took place was about a half a mile from the town—near a half a mile—and, after looking in vain for company to go over with me, I set out alone to go to the ground. I waited on the roadside which would be traveled by the companies of clubs who were coming in, with a view of seeing of what sort of a crowd they were composed. I suppose I remained there nearly an hour—from a half to three-quarters of an hour—and then retired to the top of the hill to the grove. I got there, however, before the clubs came in. I merely saw them at a distance coming up the different roads. I did not know the number of them. I am a very poor judge of numbers. I took my stand not far from the speaker's stand after the discussion commenced—some thirty or forty feet, I suppose, in front of the speakers and near and in company with Colonel Lake, United States marshal, who happened to be standing near me, and some one with him, I do not remember now; and I heard the opening speech of the day made by Judge Johnston, of this city, who was the nominee of one of the political parties.

THE SPEAKING BEGINS—INTERRUPTIONS BY YOUNG MEN.

Q. Which party?—A. The democratic party, sir. He had been invited to divide the day with the speakers selected on the part of the repub-

licans, as I understood. I listened to Judge Johnston's speech. He made a very good, temperate speech on his side of the question, which was received with very patient attention by the audience. I never saw a more attentive audience in my life. It was mixed, blacks and whites, the blacks largely in the ascendency in numbers; and the judge closed without any disturbance whatever. Mr. Fisher, in a moment or two—Capt. H. T. Fisher, of this city—who had been invited to speak in behalf of the republicans who had at that time no candidate, there having been no nomination at that time, commenced his speech, and congratulated the audience in a single sentence at the calm, peaceful character of the meeting and the very friendly intercourse of the two parties, and expressed a wish and hope that that state of things might continue to the end of the canvass. He commenced another sentence, and before he got through there was a voice from a crowd of some ten or twelve, off to my right, a body of young men who were there talking, which was very audible and distinct to me, and which I did not know whether Mr. Fisher heard or not. But at the close of that remark that I mentioned, that he hoped that friendly state of intercourse would continue through the canvass, this remark was made, "It would be so if you would stop telling your damned lies." Well, the remark surprised me and disturbed me at the time, and I spoke to Colonel Lake, who was a few feet in front of me, and asked him, says I, "Colonel Lake, who made that remark?" Before Colonel Lake had time to reply, a gentleman who was standing immediately to his left turned on me, a young man, and says he, "That remark was made by my brother," and gave me his name. "If you want to know," says he, "his name is—" and gave me his name. I do not know as it is necessary for me to tell it.

The CHAIRMAN. There is no objection at all.

Mr. BAYARD. It was a public remark.

The WITNESS. He told me his name is Neill. His manner was angry, as though offended at my asking the question. Says I, "My inquiry is answered; I am satisfied." Just as he made that remark I looked to my right, from the direction in which this voice had come, and I saw a young man approach me and shaking his hand in an angry way, says, "I made it; have you anything to say to me?" I waved him off with my hands. I says, "I have no words for you," maintaining my position exactly where I stood. Two gentlemen in my rear at that time came to me and told me, "Judge, you had better come up this way; you are in danger where you stand." Says, "You have friends up here." I says, "Well, I have no need of friends here; I am able to take care of myself;" and so I retained my position, and continued to stand as I was. This disturbance prevented me from hearing anything more from Mr. Fisher.

A GENERAL COMMOTION.

In less than two minutes, I suppose—I do not remember the time exactly, but it was a very brief period—this crowd of young men moved off right under the hill, toward the bottom, and very shortly after I noticed a general commotion in the crowd and a movement in that direction, and very shortly an effort was made to get the crowd to come back. One of the supervisors of the barbecue, who was a State senator, a colored man, was making a considerable effort to get the crowd to stand still and hear the speaking. He got down and went off with the view to get the crowd to return, but he did not succeed.

CRACK OF PISTOLS—SHRIEKS OF WOMEN.

There was a company of musicians had been there, and they commenced beating a drum, as I supposed to get the crowd back to the stand,

but they beat it with very little effect; and within a shorter time than I have been detailing this to you, I then heard the crack of what I knew was a pistol, and very shortly the crack of a good many more, and there was an immense rush in the crowd and shrieks of women, and men rushing across the hill in the direction in which I stood. I tried to maintain my position, but could not do so. The crowd rather ran over me, shoving me along; I went some twenty or thirty yards, I suppose, and the crowd pushed me along. The first big tree I came to, I just took my stand behind the tree in a different direction from what I had heard the shooting, and stood there until the crowd surged along across the hill. The main firing, however, took place—it commenced, as I have understood it, at the bottom—and it followed a different direction. I was up the hill, and went on over the hill. There was no firing immediately where I was, and I saw no person shooting. There was a good deal of firing afterward, along up the hill and ranging through the grove. I did not go to it, but maintained my position for safety where I first took my stand. As soon as the firing immediately in that quarter ceased, I returned to the speakers' stand, which, in the mean time, had become entirely deserted. One of the men with me was a white gentleman, who I saw here this morning—Captain Estell—who stood there a few moments. The firing was very rapid, and a good deal of it over in that part of the grove immediately beyond where I was, and I could not see it—seeming to be along the Clinton and Vicksburgh road.

Q. Did you estimate the number of reports of pistols?—A. No, sir. That I could not do. A good many. They were few at first, but the firing was pretty heavy up beyond the top of the hill, and I heard it along in the road. There was a good deal of shooting, sir.

Q. Did you see any persons who were injured?—A. I did, sir.

RETREATS FROM THE SCENE OF FIGHTING.

Q. How many?—A. I was going to tell you in a moment. After remaining in conversation with Captain Estell a few moments, I thought I would retreat back to the depot and wait there for the train, and get out of the *mêlée*. I went. The distance was very short to the railroad, from where the speakers' stand was. I went over to the stand, and while there—or rather while going there—I was joined again by Colonel Lake, who invited me to go with him and hunt his horse, which had got away. I told him that I did not feel inclined to risk myself on the back of his horse; that I thought he had a wild horse; that I would take my course up the railroad to the depot. While there in conversation with Colonel Lake, or just before going on to the railroad, I saw the only pistol that I saw that day. I met a person with a small Smith & Wesson pistol in his hand, who seemed to be very much excited and disturbed, and had the pistol in his hand. Says I, "What are you doing with that pistol?" He was a colored man. "Well," he replied, "I took it away from a boy a little bit ago, sir. I was afraid he might do some injury, and I want to give it to whoever it belongs to, but I thought I would take it away from the boy, as I feared he might do some harm." I looked at the pistol, and saw no sign of its having been discharged. I handed it back to him, advising him without delay to put the pistol away somewhere, as he might be misconstrued if found in possession of the pistol. He said he took it away from the boy, a very young boy. I started on the railroad, and had gone up the road but a very short distance in the direction of the crossing of the main country road and the railroad, in the direction where I had heard the very severe firing, but which had cleared off at that moment, and I concluded

it was a good time to make my way up, when I met a citizen of Clinton, I supposed he was, who remarked to me, "Judge, don't you go in that direction; you are in danger here. Get off this road immediately." "Well," says I, "I am not disturbing anybody; I am making my way to the depot, and I do not suppose anybody wants to shoot me." Says he, "You are in great danger here; for in a very few moments there will be a regular firing on this road, and they won't care who they shoot; they would not discriminate." "Well," says I, "are you sure of that?" "Well," he says, "I think there will be considerable firing down this road in a few minutes. There will be Winchester rifles along on this road firing indiscriminately, and you are in great danger, judge." Says he, "Go with me, and I will take you out of the way." Says I, "I dislike to go off of the way, because I want to get home." Says he, "I will take you to a place of safety, where we can wait until this *mêlée* is over;" and he took me off some distance with Colonel Lake and another old gentleman, of Clinton, who happened to be on the railroad at the same time looking for his horses, that were missing. We all went together; I suppose we went 150 yards, over into a cotton-field, and got under the shade of a tree and lay down in the grass, and we remained there some twenty or thirty minutes, I suppose. There was no firing along the road at that time; I heard none. After we left the tree, we returned to the scene of this conflict. Mr. Lake went off in pursuit of his horses, and Mr. Charlton and myself walked some distance, looking for his buggy, which he said they had left tied there.

WOMEN SEEKING THEIR CHILDREN—A CORPSE—TWO WOUNDED MEN—MEN VERY BLOODY.

There was a great deal of confusion, running about; mostly negro women hunting for their children. Several applied to me to know if I had seen their children. We walked along up to the top of the hill, where there was a part of an old house remaining, a dwelling that used to be there, and there I saw a woman leaning over a man prostrate on his back, and moaning at a terrible rate. I thought the man was wounded, and was trying to help him. I went to see if I could render him any assistance. I asked if he was shot. She says, "Yes; he is shot. Can't you help him? Do something for him." And we looked down and found he was dead. We took him and laid him out straight as we could, and then started away toward town. Just as we got around the end of the house, the other end from where we found this man dead, I met a wagon coming up the hill from the direction where the firing had taken place during the earlier part of the day, and that wagon contained two negro men in it very severely wounded; they were very bloody. I do not know their names. They were standing there; the wagon was waiting to be taken over the hill. They were afraid to start out, they said, for fear of the firing which was going on occasionally over on the ridge road.

ARMED HORSEMEN.

Mr. Charlton and myself engaged in conversation regretful of the occurrences, having a similar view of the very excessive injury that the reputation of Clinton would sustain by the doings of that day. We started along down toward the city, and as we went along we saw several parties of men riding up the road from town with their guns in their hands. They were young men on horseback.

A WHITE MAN SHOT.

Q. White men or colored men?—A. White men; and just as we saw

them ride, I looked still farther across the road in that direction, where there were some negro cabins in front of the house of Mr. Chilton. Henry Chilton had been killed that day; at least I understood so; I did not see his body. I did not go to his house. I had not seen him since morning. He was a son of an old friend of mine; a young man I was very much attached to. I heard that he had been shot. I saw these women fleeing in this direction, though I did not see any guns firing at the time—at the time I saw the women running. That was some time after the shooting was over. Mr. Charlton and I continued down in the direction of the depot until we got across the railroad, and up the railroad toward the depot.

ARMED AND ANGRY MEN.

We met several parties of young men with arms in their hands coming down in the direction of the barbecue grounds on our way up, and I dissuaded them from coming in that direction, in a general way.

Says I, "Gentlemen, there is no occasion for any demonstrations of this sort; I think the more quiet everybody is the better for us." Afterward I went on to the depot, and remained there until the cars came along in the afternoon, when we came home. There were some very angry men at the depot—some men armed; two or three men armed with heavy guns. I am so little acquainted with weapons of that sort that I cannot describe them. They were heavy guns, and they threatened they would go up and clean them out—speaking of the negroes—saying that they had heard that the negroes were arming somewhere; at least I judge that they heard some rumor of that kind, though in the mean time the negroes had cleared the grounds. In thirty minutes I could not see a negro man about anywhere.

A WOUNDED WHITE MAN.

I had a little conversation with one young man who had been shot. He was lying at the depot. He had a pistol-shot across his forehead. It was said he had been shot very early in the commencement, down under the hill. He was the son of a lawyer of Vicksburgh—a young man named Wharton, a nephew of General Wharton, late attorney-general of this State. I remained there, I do not know how long. There was much confusion; I did not take much note of time while waiting for the cars, and between four and five o'clock the train arrived, and as soon as the train drew up, I saw a company of armed men, I suppose about fifty; there seemed to be a good car-load disembark there. I went to them and told them there was no occasion for this. I knew a few of them personally. I spoke to one young man, with a double-barreled shot-gun in his hand, loaded, who was a relative of mine—a boy who seemed to be about 18 or 20. I just told him at once that I would make use of some authority, and, says I, "Percy, I want you to go home to your mother and stay there." He took it very kindly. "Well," says he, "Captain George, I will do so." I saw one other young man there in the crowd, whose father I knew lived in this city, and when I came home I made it my first business to go to his father and ask him to send for his son to come home.

ANOTHER ARMED PARTY ARRIVES.

I do not know the arrival of the next company, but it was reported to me that there was another company on a subsequent train, which I did not see. I came away, and on my arrival at this depot right over there, I met an armed party just about taking the cars there on that return train. I knew several of the boys, and says I, "Boys, you are all too late; there is no occasion for your going to Clinton; there is no need

for you there. You had better go home." I do not know whether they went or not. But that is all I know personally of the occurrences of that day, only as something should be brought to my memory. These are the leading facts of that day as they passed before my eyes.

A VICKSBURG COMPANY ARMED.

Q. Do you know where this company was from that you met at the depot at Clinton?—A. I think I do, from the gentlemen composing it. They were from Balton's, the next depot west. The second train, I was informed, brought out a company from Vicksburgh. At least it was so stated.

Q. Did these men have on any uniform—any badge?—A. No uniform; nothing but a gun. This difficulty must have occurred—I cannot reckon the time exactly—but the speaking commenced about twelve o'clock, and I think it was all over before two o'clock. The train arrived from Balton's, and from Vicksburgh by Balton's, this way, I think, some minutes after four o'clock; I do not remember.

SENATOR CALDWELL PRESENT.

Q. Who presided at your meeting; who was president or chairman of the meeting?—A. I can hardly tell you. There were quite a number of men on the stand. The most prominent man I saw on the stand was this Senator Caldwell, State senator from this county, a colored man; the man who was shot afterward last fall at Clinton.

THE WITNESS A VIRGINIAN.

By Mr. CAMERON:

Q. Of what State are you a native?—A. Virginia, county of Cumberland. My father was a native of Richmond; my grandfather of the same place.

THE WHITE YOUNG MEN AT THE BARBECUE.

Q. How many young men were in that company that you first observed while Mr. Fisher was making a speech?—A. Well, really, I am hardly able to say. I was endeavoring at the time to catch the utterances of the speaker. I should suppose there were from five to ten just in that bunch. These were young men who had grown up, and I did not know them all.

Q. As far as you know, where were they residents?—A. That I cannot tell you. The young man who gave me his name, and his brother, they are sons of an old gentleman who lives here near Clinton, one of the old citizens of this county. Young Wharton that I saw afterward, I do not know where his home is now. He was raised in Raymond; his father has recently moved to Vicksburgh, and is a practitioner there.

Q. Did you observe whether any negroes were armed there that day, or not?—A. Well, sir, I met some negroes about that morning. I did not see a weapon in the hand of a negro that day, except the pistol that I told you about, which was in the hands of this man casually.

By Mr. MCMILLAN:

Q. That was after the disturbance?—A. That was afterward. It was very much like a small Smith & Wesson's pistol, but it evidently had not been used, and he gave me an account of it, which I mentioned. That was the only pistol that I saw.

THE BLACKS ALL FRIENDLY.

By Mr. CAMERON:

Q. Did you observe any hostile and unfriendly demonstrations made by any colored men prior to the commencement of the firing?—A.

I did not. On the contrary, I think I never saw a better-tempered crowd in my life than they universally seemed to be that morning. They all seemed to be there with their wives and children in the expectation of a frolic and a good dinner. There had been a very bountiful barbecue. I walked over to where the meat had been cooked. There was a very bounteous provision of meats cooked, and very well and nicely cooked, too, on the hill, and they all seemed to be in the hope of a good day. As I remarked before, I was not among the crowd of the clubs that came up. They came subsequently. I went down and took my seat at a stand some time before the speaking commenced, in company with some five or six gentlemen, white men, who had gathered there before the speaking.

THE MEETING A REPUBLICAN GATHERING.

Q. By which political party was the barbecue called?—A. It had been gotten up by the republicans, and they had extended an invitation to the opposite party to partake of their barbecue, as I understood it. Judge Johnson said repeatedly in the morning, in my presence, that he hoped they would give him a chance to speak; that he wanted to speak and go home.

A DEMOCRATIC SPEAKER INVITED AND SPEAKS.

Q. Judge Johnson was the first speaker, a democratic speaker?—A. Yes, sir; he went down on the train with me. I have no idea that he knew of any trouble there.

THE REPUBLICAN SPEAKER INTERRUPTED IMMEDIATELY.

Q. How long had Mr. Fisher been speaking when these hostile demonstrations were made by these young men?—A. He had not been speaking a minute, had uttered but one sentence, and that was congratulatory, previous to what he was going to say; and just as he commenced to speak, this remark was made by this young man.

THE CROWD RUNS AFTER THE SHOOTING BEGAN.

Q. You spoke of a crowd surging up from below the hill, past you, and carrying you with them?—A. That was after the shooting commenced.

Q. Who composed the crowd, colored or white men?—A. Mostly colored people and women. They overrun me completely. I never saw so frightened a gang in my life. Just a little behind me there was a buggy with some four or five colored persons in it. They were just on the rear some eight or ten feet. They were all descending pretty rapidly, and making their way off.

NUMBER OF PERSONS PRESENT.

Q. What number of persons would you estimate were present at the barbecue?—A. That would be very hard for me to tell. I reckon I am one of the poorest men to size a crowd. I have never been in military life, and am not accustomed to numbering large bodies of men. I suppose that, men and women, there could not have been less than two thousand people on the ground that day, judging from the size of the clubs advancing upon the road, and the party of women and children who were over the hill.

Q. How did the colored and white persons compare that were present as to numbers?—A. The colored people were very largely in the majority, very largely.

By Mr. McMillan:

Q. The number of young men from whom you heard the first remark

of which you spoke, were they white?—A. Yes, sir; they were white men, young gentlemen, apparently, dressed in their summer light clothing. I had not seen but one old gentleman go in that direction. That was one elderly gentleman, who went in that direction, but whether to speak with those young men or not I am unable to say.

Q. What county is Clinton in?—A. This county.

Q. How far from Jackson?—A. We call it ten miles, between eight and ten miles, immediately west.

IMMENSE CROWDS OF NEGROES DRIVEN INTO JACKSON—WHAT THEY REPORTED.

Q. Between Jackson and Vicksburgh?—A. Yes, sir; the first station. I do not know whether it is germane to this matter, particularly, but as it fell within my observation I will state that, during the week following, this town was infested with immense crowds of negroes, the most frightened gang of people I ever saw, who represented that bands of armed men were pursuing them at night and driving them from their homes. I know nothing of the facts except, simply, the very large crowds that came in here every night for four or five nights afterward. I went in among them a good deal. They gathered around the city-hall, where the United States court is, and I made it my business to go out in the crowd and try to pacify them, and inquire how the matter was, and what was their reason for not returning home, knowing that their work was needed, and that the cotton was spoiling for their work; and I invariably received the reply that they were afraid to go back. They came here very hungry, apparently, and in a state of great alarm. Some of them were very destitute. One morning I had breakfast prepared for sixty or seventy of them myself, who had evidently been without food some time.

By Mr. BAYARD:

Q. How long did that state of things continue?—A. They were coming in here for four or five nights afterward, during the week following this difficulty. So far as I had an opportunity, I endeavored to calm their fears and induce them to go home to their work.

Q. Had you any knowledge of any actual violence done to any one of them?—A. None; no personal knowledge.

Q. This is the capital city?—A. Yes, sir.

Q. Who was then governor of the State?—A. Ames was governor.

GOVERNOR AMES'S POLICY AS TO ORGANIZING MILITIA.

Q. Was he here resident at the time?—A. Yes, sir; Governor Ames sent for me three days after these occurrences, and asked me to give my observation of things, and I gave them substantially as I have given them to you. He asked some counsel of me, which I gave him as an old citizen.

Q. Were you upon intimate terms with Governor Ames?—A. Not at all, sir. That was the first detailed conversation I ever had with Governor Ames. I was friendly in a general way, and belonged to the same political party; but I had never been taken into his confidence at all.

Q. Do you know whether at that time there was a policy declared by Governor Ames of arming the black people of the State of Mississippi?—A. I know nothing else than what Governor Ames told me when he sent for me after this Clinton affair. He told me then, or rather he asked me what he should do. He asked me my opinion as to his calling out the militia, and I gave him my opinion as to what his duty was. He told me that his purpose was to prevent a collision if he could between the whites and blacks of the country.

Q. May I ask you whether the militia he suggested calling out was composed of colored people?—A. His call was a general call.

Q. I ask you whether the militia was not at that time composed generally of colored people?—A. At that time he had not organized a militia, because it was subsequent to this interview he organized these companies.

Q. Were the companies organized subsequently composed of whites or blacks?—A. I only saw blacks. I think, though, that there was a white organization here, and at probably other points. I cannot tell you more than I heard.

Q. I am speaking of your knowledge.—A. I say I only know of companies of negroes organized after this Clinton affair.

Q. Were they armed by the State?—A. Well, I do not know; I suppose they were.

Q. Did they parade and drill here?—A. Drilled a few times in the public square, near the city-hall.

Q. Here in Jackson?—A. Yes, sir; I only know of two companies in this city.

Q. Do you know that there were others, as a fact within your own knowledge?—A. I do not.

Q. Did you learn from him, or other reliable authority, that other companies were organized by him at other towns throughout the State?—A. I have not any knowledge of it. There was great excitement about his organizing the militia here. It may be a matter of justice that I should say to you that he asked my opinion upon that subject. At that time it was a matter of doubt with him what he ought to do, and he so expressed himself to me.

PROCLAMATION OF GOVERNOR AMES.

Q. The result of your interviews with him was that he organized these black companies?—A. The first result was the governor's proclamation for the people who composed these armed companies in the country to disperse. He asked my opinion on that subject. I advised him to issue such a proclamation and couple no threat with it. He said that that was what he had had in contemplation, and I think, probably the next day or a day or two afterward, he issued such proclamation.

Q. Did he tell you at that time that he had applied to the authorities at Washington for troops?—A. He had not applied then. He consulted with me then upon that question, whether he ought to do it or whether he ought to call out the militia. The first movement of the governor, of which I am aware, after this interview I had with him, was his proclamation to these people to disperse. The next movement that I am advised of was his call on the Executive at Washington for armed assistance, or for protection, and after the reply he received from Washington was the call for the militia.

Q. In the manner which you have described?—A. Yes, sir.

Q. Which was responded to in the manner which you have described?—A. Yes, sir; the order I have mentioned.

Q. When you say you know of but two companies of colored militia organized here, do you mean to say that there were not other companies organized elsewhere after Governor Ames's order?—A. I do not; not by any means. I think it very probable they may have organized others elsewhere.

HINDS COUNTY OVERWHELMINGLY REPUBLICAN.

Q. What in the fall of 1875, in the month of September, of which you speak, was the political complexion of this county—which party

was predominant?—A. I had supposed up to the election that it was overwhelmingly a republican county.

Q. Were all the officials of the county republicans at that time?—A. Well, sir, so far as I know they were, with one exception, and he was not an officer of the county; he was an official of the United States, under my jurisdiction. He happened to be a democrat. He had nothing to do with public business any more than I have with the State.

REPUBLICAN POLICE-OFFICERS PRETTY POWERLESS AT THAT TIME.

Q. Were or were not the police powers of the county entirely in the hands of persons elected by the republican party?—A. Well, sir, the officials, as I have stated, were, so far as I know, without exception, republicans, and of course these powers were in their hands.

Q. Do you comprehend my question? Were or were not the police powers of the county entirely in the hands of persons elected by the republican party?—A. Generally they were.

Q. Will you state any exceptions?—A. I do not know hardly how I should reply to that question. I think that nominally they were one thing and practically they were another. I think that the police authorities of the county were pretty powerless at that time to keep order.

Q. I will repeat the question to you.—A. They were republicans.

Q. Exclusively so?—A. So far as I know, there was not an exception. So far as I know, the entire public authority of the county of Hinds, of every sort, at that time was republican.

Q. You stated that you were chief supervisor of that district, under United States law?—A. Yes, sir; my function was double, in that I was clerk of the court at the same time.

CLINTON BARBECUE CALLED BY REPUBLICANS ONLY.

Q. Was the barbecue of which you have spoken at Clinton called as a general meeting of the two parties?—A. No, sir.

Q. By whom was it called?—A. Called by the republicans.

Q. Only?—A. Only.

Q. How came Judge Johnston to speak at it if it was called as you have described?—A. I do not know, sir; I know that Judge Johnson went down on the same train I did. He lives here. I was somewhat surprised to see the judge going, because I did not expect to hear democratic speeches that day. They had quite a number of republican speakers, among them the governor, and my object really was to hear the governor speak.

Q. Was Governor Ames there?—A. No, sir; he was not; though that really carried me there.

JUDGE JOHNSTON'S SPEECH.

Q. What was the character of Judge Johnston's address?—A. Well, it was a pretty strong democratic speech, in which he belabored the republicans.

Q. What was the language you applied to him? Did you say it was temperate?—A. I do not know whether I did or not; but if not I will use it now. I heard nothing intemperate. It was a very decided democratic speech. I do not believe that Judge Johnston in his speech made any effort to produce a disturbance; I do not believe he contemplated any such thing.

THE YOUNG MEN WHO CREATED THE DISTURBANCE.

Q. How many young men were in that body from whom this voice proceeded, that you first heard, creating the disturbance?—A. I said

that I could not tell exactly. I think there must have been from five to ten. My look was casual at that crowd.

Q. Then it was a small crowd?—A. Rather a small crowd.

Q. How old were they; what was the general appearance as to age?—A. I should not suppose they exceeded five-and-twenty. I saw one young man, who was killed afterward, who was talking to Mr. Lake, at the time this remark was made, about some difficulty which had occurred at Yazoo City a day or two before. His name was Thompson. I suppose he was twenty-five or twenty-seven years of age.

Q. Were they sons of respectable citizens of the county that you knew?—A. Yes, sir; Thompson was. They had borne a good reputation generally.

Q. Were these young men under the influence of liquor or not?—A. I cannot say, sir; I think the young man who first replied to me and used very excited language—from his manner I supposed he had a drop too much, though it was not very evident.

Q. Then this group of five, or six, or ten young men was the crowd that moved off around to the foot of the hill?—A. Yes, sir; moved out of my sight; I do not know where. They moved in that direction.

Q. Did you observe any appearance that was unusual about these five or six young men?—A. No, sir; I did not see any except what I have stated before.

Q. Did you observe any blows struck or any violence before you heard the pistol firing?—A. No, sir; I had observed nothing unusual. It was peaceable. The crowd was moving in that direction as though the object they had in view was to try and hear the speaker.

Q. Did I understand you to say that you did not know whether Captain Fisher heard the voice interrupting him or not?—A. No, sir; I do not know.

Q. You were nearer to the parties than he was?—A. Yes, sir; I suppose we were thirty—something more than thirty feet from the speaker.

Q. Was the remark made by this young man to those near him, to some one near him, or a general remark?—A. Well, the remark seemed to be addressed to the speaker, although the intervening crowd may have prevented him from hearing the remark, though the remark was one that struck me very forcibly.

Q. A very rude remark?—A. Yes, sir; I think so. That is the reason I asked who made it.

Q. Did Captain Fisher stop his address because of that remark?—A. I cannot say he did; I do not think that he did because I am not sure that he heard it. There was considerable noise as the crowd commenced to move.

Q. You are not aware that the remark stopped the address at all; his address continued?—A. He continued his address, but these other things occurred soon afterward.

Q. The crowd moved forward and left the stand bare?—A. A good deal bare. Nobody came back scarcely.

Q. Was it essentially the fact that the meeting stopped for want of an audience?—A. Of course it did, sir. There was nobody to speak to. The firing scattered the crowd.

Q. As a matter of fact, did you see any one who had discharged a pistol or struck a blow, yourself?—A. I did not; I kept studiously out of the way of that. I was borne by the crowd of men along some 25 or 30 yards I suppose.

FRANK JOHNSTON'S INVESTIGATION.

Q. Was an investigation held, an investigation made in regard to

that disturbance, and a report?—A. Well, there was something of the sort; there was a report made by a young friend of mine here by the name of Johnston—Frank Johnston, who is a son of Judge Johnston.

Q. An intelligent, reliable man?—A. He is one of the most intelligent young gentlemen, a man of the highest character, a young lawyer.

Q. Do you know whether as a matter of fact he did or not superintend an investigation of all the facts attending the riot, if I may so call it?—A. I only know it from the fact of his publishing a report in connection with a number of affidavits. I do not know whether he personally attended the taking of them or not.

OTHER INVESTIGATIONS.

Q. Do you know whether Governor Ames instituted any investigation?—A. I do not know anything further than he sent for me, and we had this conversation I have spoken of.

Q. Do you know whether he made any further investigation of the facts than this?—A. I do not.

Q. Do you know whether the United States officers stationed here went out to make an investigation or not?—A. I have no personal knowledge on that subject at all, nor did I hear whether any United States officers did or not.

Q. When was the next term of the court after that?—A. You mean the United States court?

Q. No; the State tribunal first?—A. Really, I have forgotten; my impression is that Judge Brown held his court the January following the State court.

Q. Was there no State court of criminal jurisdiction from the 4th of September until the 1st of January sitting in this county?—A. You know we have two circuit courts in this county. It is divided into two districts. The court is held here for one district, and at Raymond for the other, and my memory does not serve me to tell when that court was held exactly.

Q. You are unable to say whether there was any court of criminal jurisdiction in session from the 4th of September to the 1st of January?—A. I am unable to say just now, though I could give you a reference by which you could ascertain the fact. I paid little attention to it.

Q. When was the next session of the United States court?—A. Held in November—the first Monday in November.

Q. Was there any attempt made to indict any person engaged in that riot in the United States court?—A. Well, sir, I can only judge by results.

Q. I ask you first, whether any attempt was made to indict any person in the United States court for complicity in those riots?—A. I do not know what attempts may have been made. Indeed, all I know of the steps taken by the district attorney in that way was the summoning of a very large number of supervisors that had been appointed to superintend the local elections. They were summoned before the grand jury.

Q. Were you among them?—A. No, sir; I was there, however, to furnish processes, and he summoned a good many persons—the United States attorney did.

Q. Were any indictments found?—A. Yes, sir; I know of some indictments found, but not in this county.

Q. I am speaking of this county. They would be found here, if the disturbance took place in this county?—A. Yes, sir.

Q. Were any found in the United States court in connection with

this occurrence which took place at Clinton?—A. None, sir, in my court.

Q. Yet, you say that the district attorney did make an investigation, and summon a number of witnesses in relation to it?—A. I do not know he summoned a number of witnesses in relation to this particular disturbance; I know there was a good many summoned.

Q. Were you a witness?—A. I was not.

Q. You were a supervisor?—A. I was. I only know of one witness. I know of one man summoned, because he came and conversed with me on the subject, and he was summoned before the grand jury.

IMMEDIATE CAUSE OF THE OUTBREAK.

Q. Are you able to state of your own knowledge the immediate cause of the outbreak there on that day? Do you know what blow was struck—what was done or said that led to the conflict?—A. I do not know. There are very varying accounts of that.

Q. Do you know who commenced the difficulty?—A. I do not.

Q. Was it between the two races of people—the black and white races, or was it a matter of two parties?—A. Not having witnessed the beginning of it, I could not undertake to say; I heard none of the words accompanying the outbreak.

Q. And you saw none of the acts?—A. No, sir; no further than its effect upon the crowd, and the men I saw, dead and wounded, afterward.

Q. I understand that is the only political meeting you attended during the canvass, on either side?—A. Yes, sir; I very rarely attend these meetings.

Q. On the day of the election were you here present?—A. I was.

Q. Did you attend the polls to vote?—A. Yes, sir.

Q. Did you see where the election was held?—A. In the city-hall, opposite the United States court-room; that was one of the boxes.

A PEACEFUL AND ORDERLY ELECTION IN JACKSON.

Q. What was the character of the election in Jackson as to peace and order?—Very good order kept that day.

Q. And apparently free and undisturbed?—A. Yes, sir.

Q. Were the troops of the United States present near the polls at all?—A. No, sir.

Q. Was there any interference by the United States troops, at all?—A. None that I know of.

Q. Any demand for them—any need in any way?—A. I do not know of any.

Q. The election, so far as you know, was peaceable, orderly, and fair?—A. On that day?

Q. Was there any other election held than on that day?—A. No, sir.

Q. It is of that I ask you.—A. I mean by emphasizing my answer to let you understand I am only speaking personally. I mixed very little with the crowd. I saw nothing that looked like disturbance during the whole day.

Q. So far, then, as you saw in the city of Jackson, you are not able to state that any one was prevented by violence or intimidation from casting his vote?—A. Not of my personal knowledge. If you will allow me to express my opinion I think both parties were endeavoring to control themselves on that day, in the interests of peace. I think some of the leading men of both parties were very anxious to keep the peace. I think their efforts were successful in a very great degree, in securing that result. There had been great apprehension. There had

been inflammatory articles published, and I suppose rather counseling violence, and I think it put everybody on their good behavior, just on that day.

SOME LIQUOR OVER THERE.

By Mr. MacDonald:

Q. Do you know what there was back over the hill there in the way of food; a place of refreshment, or anything of that kind?—A. I do not know what was there, in that bottom.

Q. There seemed to be some crowd there before these young men started in that direction?—A. Yes, sir; a crowd all over that hill; the place was pretty near the speakers' stand, extending, I suppose, from fifty to sixty yards from the stand. If you will allow me to speak of rumor, I will say that I did hear that there was some liquor over there, just before the difficulty.

MR. CHILTON KILLED.

Q. You spoke of seeing some women running near the house of Mr. Chilton; was he killed there that day?—A. Yes, sir; he is said to have been; I did not see his body; he was killed near his house; he was a merchant in Clinton.

Q. Was he a white man?—A. Yes, sir; a son of Mr. John N. Chilton.

Q. Did he belong to the democratic party?—A. Yes, sir; I only know that he told me that they intended to beat us pretty badly in the election. I judge from that that he was a democrat. I had known him for many years, and esteemed him very highly.

Q. Do you know anything about the circumstances of his being killed; who killed him?—A. I do not, sir. I have heard very contradictory accounts.

Q. He was killed there in the firing that took place in that *mêlée*?—A. Yes, sir; it was reported that he was killed right in front of his own house; but there were very different accounts as to how he was killed. I shall not undertake to detail, for I know nothing about them.

MR. WHARTON WOUNDED.

Q. You spoke of a young man named Wharton who was wounded?—A. Yes, sir.

Q. He was wounded in that difficulty also?—A. Yes, sir. He told me so; I think he said he did not know who shot him; that was what he told me, sir. He was very slightly wounded; merely scratched in his hair over the temple.

Q. You say that you were satisfied that Judge Johnston, who made the first speech, had no purpose of having any trouble on his part?—A. I am very well satisfied of that in my mind. That is greatly due to my personal knowledge of Judge Johnston's character, and his deportment that day.

ORDERLY CONDUCT OF DEMOCRATS AT CLINTON.

Q. You saw quite a number of democrats there that day on the ground, did you not?—A. Yes, sir; quite a number of them. It was a small gathering of them.

Q. Were they not all, except these young men of whom you spoke, conducting themselves in an orderly manner?—A. So far as I know they were.

Q. They did not seem to apprehend any trouble or difficulty?—A. No, sir.

Q. The origin of the difficulty which began between these young men,

and those under the hill, if it was begun between them, you do not know?—A. I cannot say; I presume you will hear probably very varying accounts about that.

OFFICIAL RECORD OF THE WITNESS.

By Mr. BAYARD:

Q. What offices of trust have you filled since you came to Mississippi?—A. Well, judge, as I stated at first, I was a practitioner of law; a small planter. A few years after I came to this State I was elected to the State senate; and the second term I was president of the Senate. I was auditor of public accounts of the State four years. I was clerk of the supreme court for several years. I was afterward appointed under the provisional government of Mississippi, by Governor Sharkey, judge of this State, and on the re-organization of the United States court here, I was appointed clerk of both those courts.

HIS INTERVIEW WITH GOVERNOR AMES.

Q. Will you state the subject on which Governor Ames asked your opinion, and the opinions you gave him at the interview, of which you have spoken?—A. Governor Ames, I understood, sent for me, sir, to call at his house, he having heard that I was at Clinton. It was the Monday or Tuesday following this difficulty, probably, and I repaired to the mansion. That was the first detailed conversation I ever had with Governor Ames. He told me that he would be glad if I would tell him what I had seen, and I told him substantially what I have repeated to you. He told me that he was apprehensive of difficulty between the black and white people on the election, and very desirous to know what he should do to avoid it. I told Governor Ames that I thought if he would allow me to make a suggestion to him, that it would be a good thing for him to issue a proclamation of warning to the white people, who at least were reported to be armed, for the purpose of dispersing such crowds. I told him I thought it a highly important thing—such a proclamation; that I would make no threat of anything which he would do if it was not done. I told him, at the same time, that I was afraid it would be unavailing, such was the temper of the people at that time.

I told him that I was very averse to his calling out the militia. I told him that if he did I believed it would be mainly colored men who would respond to his call, and that they would be gobbled up as fast as he could gather them. I told him that I believed there was a state of things existing which required the interposition of the Federal Army, and advised him to call upon the President for that purpose; and I did it with a view of bringing into exercise an authority that I knew would be respected, instead of one that I knew, if he attempted to use, would create further disturbance. He told me that he had been thinking of issuing just such a proclamation. I was so thoroughly of that opinion that I had, before that gathering at Clinton, in view of the popular reports of a difficulty at Yazoo, I felt it my duty to write to the Attorney-General to the same purport, which I did; and that was the counsel I gave him. As I said afterward, such a proclamation did appear, and this call of the militia was made by Governor Ames; was at a date, I think, subsequent to the reception of the Attorney-General's reply to his call on the Federal authorities at Washington.

WITNESS REPORTED TO ATTORNEY-GENERAL OF UNITED STATES.

By Mr. MCMILLAN:

Q. The Attorney-General of the United States?—A. Yes, sir; the Attorney-General of the United States. At the risk of being considered

impertinent, being a United States commissioner, I felt it my duty to report to the head of the Department under whose control I was, in a general way, my views as to the state of affairs in Mississippi.

By Mr. BAYARD:

Q. Who was the Attorney-General?—A. Judge Pierrepont, I think, was the Attorney-General.

Q. You made a report to him?—A. Yes, sir. He never answered my letter. My letter, however, did not call for a reply. It merely gave him my candid advice as an old citizen and officer of the Government of the United States.

J. H. ESTELL—HINDS COUNTY.

JACKSON, MISS., *June* 10, 1876.

JOHN H. ESTELL sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Q. What is your residence and present profession or occupation?—A. I am a citizen of Jackson; am a practicing lawyer.

Q. How long have you been a resident here?—A. Since 1860, my last residence. I have always called this my home since 1840.

Q. Where were you born?—A. Huntsville, Ala.

Q. It was stated by Judge Swann that he met you at Clinton on the day when the riot, which is called the Clinton riot, took place?—A. Yes, sir.

THE CLINTON RIOT DESCRIBED.

Q. State what occurred in your observation.—A. I was there that day. I went from here. I went to the town of Clinton and from there out to the grounds where the barbecue was to be, about a half or three-quarters of a mile to the north of the Clinton and Vicksburgh Railroad, which runs east and west. I got upon the rear portion of the stand in company with and close to Judge Swann, and while we were standing there it was mooted by some colored people whether Judge Johnston should make a speech. They came to me and asked me whether I thought it was right for Judge Johnston to speak. I says, "Certainly; he is a conservative citizen, and we would like to hear him;" and he then proceeded, at the invitation of citizens, and made a speech of about one hour or more. It was moderate and conservative. He was followed by Mr. Fisher. He had gone through with a short introduction which amounted to that Judge Johnston was a very clever fellow; and he was, and all the politicians were very clever fellows, and wished to keep the peace, and he was about to go on with his speech, when a young man close by me made use of an expression like this: "If he stopped telling lies," or "damned lies," I think he said, "we would have peace." Our attention was diverted by that, and Judge Swann asked who it was that made the remark, and the reply came at once from the young man, "It was made by my brother, and his name is Neill." I did not like the appearance; I did not like to hear such discussions going on at such a place, and I turned my attention to Mr. Fisher, who had been speaking, and in a moment this young man left, going out toward the north or northwest—a little west of north. In a very few moments, in fact in a few seconds, probably less than a minute, there was a disturbance. A gentleman who was holding an umbrella upon the stand over

the speakers, by the name of Hudnell, says, "Caldwell, there is a disturbance." Says Caldwell, "I will stop it"—Charles Caldwell, who had been a senator from this district. He called out, and I heard him say, "Boys, we won't have any fuss." I knew his voice well. Just then a pistol cracked. I said, "Hudnell, that's a pistol." Then there was another crack. The crowd was very thick between us and the pistol. I could see the smoke, but could not see who shot. I did not see any man who shot. Then the firing became very rapid, and about like a sharp skirmish between two armed companies of soldiers. Then there seemed to be a reply, and then a volley like fifteen or twenty pistols. Then the crowd commenced scattering, and I don't think I ever saw the same number of men get away in a shorter time in my life. I have seen soldiers badly panic-struck and running away, but I never saw men get away so quick. I think in one minute there were but three or four persons on the ground. Judge Swann had gone away. I saw some of my acquaintances going by, and I myself squatted behind the stand where I could see it all. Between me and the firing there was a thickness of five or six boards set up on their edges that protected me, except when I peeped up to see. I then got up and went along northwesterly, and I saw a doctor from Clinton, Dr. Banks, and I told him there were some dead colored men in those bushes. He was coming down the hill, and we were coming toward the point where the main fight had occurred, and just where we came together lay two dead men, one lying with his body nearly east and west, and the other nearly north and south. We went up to them and examined them. Says he, "This man is dead, and this man as good as dead." I think he died while I was standing there. I then had my attention called to a man upon the hill. I started out toward him, and I saw two or three negroes, and then a number of negroes came rushing back toward Clinton; and I says, "What's the matter; what are you running about so for; what is going on up there?" They said, "There was an army coming down to shell the bushes." I said, "Then let us get on the railroad and go to Clinton;" and when I got there, I heard several men had been killed. One man I saw lying at the depot, who had been scratched by a ball on the top of his head, apparently by one of those little pistols. I felt the ball, which had lodged on the top of the head or scalp, and I sent a negro up to get some water to wash his head. I went to the door, and there was a crowd around the house, and I heard a man had been found dead.

AN ARMED CROWD—EXCITEMENT IN JACKSON.

Q. What was this crowd?—A. White men; a good many of them mounted and armed. They told me that a man by the name of Sivley had been found dead. I saw them lift up somebody and then lay him down again. I heard, and, in fact, I myself know it was Martin Sivley's body. I heard of a good many outrages that evening, stated by first one man and then another one, but I saw nothing of the fighting myself, except these two men that were dead. The fight there was done very unexpectedly to me, and suddenly and unexpectedly to everybody else, so far as I know. I saw a man wounded at the house on the side of the hill, and heard he had died. I did not go to him at all. I came home in the cars, and there was a great deal of excitement when I got here. I came in company with Judge Johnston, among others. I found this whole place crowded with armed persons; a great many armed before this house here.

Among others, my sister met me, very much alarmed, and she said, "What is the matter down at Clinton?" Says I, "There has been

fighting, but it is done and at an end." She says, "They are going down and there will be another fight." I said, "Impossible; because you and I could go down and scatter any number of them; I never saw a set of people so entirely cowed as they were; we could scatter any number of them." I said to every man "that it was perfectly idle for you to go down there; there is nothing there." And the young men that were armed here upon the platform, my nephew among others, I said to them, "It is perfectly idle and useless; there is no use for one soldier there." I was afraid they were going down and get into some difficulty. I knew the boys would not go and murder the people, unless they got excited and drunk, and were gotten into it by somebody else.

By Mr. BAYARD:

Q. Did this company have any officers?—A. I suppose they had officers; probably I might recall some of the names. There was a large crowd and very intense excitement. There was an excitement I dreaded very much. I knew the men and knew the character and temper of the people, and I dreaded the excitement very much, and did my best to allay it. I said, among other things, that they would not find a leading colored man in the whole country. I knew enough of them before to know that they would do as they did, hide away.

ARMED MEN AT THE DEPOT.

Q. You took the cars at Clinton that afternoon; did you see any armed men at the depot?—A. A. Montgomery was there and a man named Wells, and I might recall others. There were fifteen or twenty armed and on horseback, talking boisterously and unnecessarily strong, I thought; not threatening any particular person, but intimating that they meant fight. William Montgomery and Wells, and there was another, I think his first name was Calvin, and there were twelve or fifteen others on horseback and armed. They came into the room where I was there by this young man Wharton. I started out into the town and met Judge Johnston, and told him he had better not go there; there was intense excitement. I turned around and came back to the depot, got into the cars, and came here. When I got into the cars a considerable number got out. They had come on the Vicksburgh train from Bolton, and some from Vicksburgh, but I cannot say. They came by the train, and got out there armed with all sorts of arms; some with double barrels, some with pistols, some with army guns.

THREATS OF KILLING THE DAMNED NIGGER.

Q. You stated that the persons who were talking extravagantly did not make declarations against particular persons; did they against any party or set of men?—A. They spoke of killing the "damned nigger." They directed their threats against the men who had killed Sivley and Thompson; young Frank Thompson, a lawyer, who had been killed. He was then residing in Raymond. Threats were made against the parties who had anything to do with their death; and young Chilton had been killed. A good many threats were made against those who had killen them. Some said it was Willman, some said it was Caldwell who did it.

THE BOLTON ARMED COMPANY.

By Mr. CAMERON:

Q. About what number of men came into the train that came from Bolton?—A. I suppose forty or fifty.

Q. How long was that after the difficulty commenced?—A. I don't recollect precisely the time the difficulty commenced. It must have

commenced somewhere between 12 and 1 o'clock; somewhere about the middle of the day. It was in the evening; it might have been from two to three hours from the time the difficulty commenced.

Q. Where did you understand they came from?—A. Some from Edwards, some from Bolton. The young man Wharton that I spoke of as being shot in the head, who was at the depot, came from Bolton.

Q. How far is Bolton from Clinton?—A. The next station on the railroad; 9 or 10 miles.

Q. Edwards; how far is that from Vicksburgh?—A. A little over 30 miles; certainly 34 miles.

COLORED MEN KILLED.

Q. How many colored men did you see dead or wounded?—A. I saw four; two men that were dead that I had my hands on. The other man on the hill-side was not dead. The man that was carried in the house they say was dead. They were lugging him into the old dilapidated garden that was there. These were all I saw.

WHITE MEN KILLED.

By Mr. BAYARD:

Q. How many white men were killed?—A. There were two white men that I did not see who were killed, but I know myself, as they are reported.

Q. Who was Martin Sivley?—A. A young man who lived between Raymond and Clinton, about equally distant.

Q. Who was young Frank Thompson?—A. A young lawyer who was raised down on the railroad, who had been practicing law and had gone to New Orleans, staid there a while, and came back to Raymond. He had been somewhat intimate with me, more from the fact that an intimate friend of his boarded at my sister's house. He was at my house about six weeks before he was killed, certainly five or six weeks. He had got to drinking; and that day we were speaking of Thompson with others. He came and told me that he had some whisky. I said, "I have not drank anything for a couple of years and could not drink anything now." He had evidently been drinking, and a young man who was with him had been drinking freely. He pointed to a wagon near the railroad, and said, "We have got some whisky; come down and get some."

THE YOUNG MEN WHO BEGAN THE DISTURBANCE.

Q. Was he one of the crowd there from whom this remark proceeded?—A. No, sir; he was not.

Q. How many young men were in that crowd?—A. Some three or four on the stand, and that crowd that were on the outside that I had noticed. The stand was on the north of the railroad. The crowd that I speak of were placed to the north and westward of the stand, and right midway between the stand and the place where I had been told the whisky was; and they belonged to the same class of men.

Q. What about the age of these men?—A. Thompson was the oldest man, a young man who must have been a little over 30. The young men were chiefly young men, say from 19 to 25 years of age.

Q. Were they apparently showing any signs of having been drinking?—A. They showed so to me from being close to them. They showed to me very plainly, while probably you would not have seen any mark of it. They were not offensive to anybody.

Q. They were showing some excitement, a portion of them, were they?—A. Yes, sir.

Q. Thompson told you they had whisky?—A. Yes, sir.

MR. CHILTON KILLED.

Q. Who was the man who was killed by his own door?—A. Chilton, he was killed. He was born in this country. His brother, John Chilton, was acting treasurer of the county. His brother was a member of the republican party and one of the main getters-up of that barbecue there that day. He was killed at his door or in his yard. I have heard it both ways.

Q. Do you know by whom he was shot?—A. No, sir. There have been a great many reports about that, but I have never ascertained, though I have heard half a dozen different versions as to who shot him.

Q. You know personally nothing?—A. I was going to say a man by the name of Hill, who lived about one hundred and fifty or two hundred yards from here—some said he was the man who did it, but I do not believe it was, from the fact that he was arrested and carried to Clinton and charged with the stealing of a pistol. That was all. I judged from that circumstance that he was not guilty.

POLITICS OF THE KILLED WHITES.

Q. Were these white men, Sivley, Thompson, and young Chilton, members of the democratic party?—A. Well, sir, Thompson, about the time I speak of his being here at my house, said that he was trying to secure work, and said that he came here to get Ames to appoint him a district attorney in some district down here where there was a vacancy. I told him that I hardly believed he would. He said he had letters from him, and that Ames would appoint him. That was the last time that I had any conversation with him, until that day. He has gotten about, as I understand, to be a tremendous democrat. I cannot say as to Chilton advisedly. His brother got a good many jobs, and, I think, he wanted to get all he could out of the republican party and be a democrat then.

Q. How about this Sivley?—A. He was an uncompromising democrat, from the little I have heard. I have heard little, except from the republicans.

POPULARITY OF THE WHITES KILLED.

Q. Were these men popular and beloved throughout their neighborhood?—A. Chilton had a good deal of popularity. Frank Thompson was not very well known, but was peaceable and well conducted when free from the influence of spirits, and very social, and would be a popular person almost anywhere. He was generally a polite man.

Q. How was it with Sivley?—A. He was a man very much liked, but very little known, except right in his own neighborhood. Here in town not one man in twenty would know anything of him; but at Raymond and Bolton and Edwards he was well known and much liked.

Q. Young Wharton, who was shot; was he a man who was popular?—A. He is a very young man, indeed, but belongs to a family that is well known and well thought of; well esteemed by his acquaintances, but had nothing like popular notice.

Q. A very young man?—A. Yes, sir.

Q. When you speak of those men whom you met at the station when you were down at the depot at Clinton, and you found bands of young men, also armed men, and found some even at this station here, upon your arrival at Jackson, did you gather from those men that their threats were against those who had killed these three people?—A. I heard no threats against anybody but those.

Q. Then the crowd was moved to avenge the death of these people?—A. That was what they said.

"SOUNDED LIKE PREPARATION."

Q. I understand you to say that the fight was unexpected by you, and, so far as you knew, to everybody else there?—A. I have never heard anything that would justify me in saying that the fight was expected by any one, except one single circumstance, that is to me unaccountable. I have been a soldier, and in my record I never heard such a continuous firing without preparation in my life. I never conceived it possible that just such a firing could be given as the firing was that occurred after the first three or four pistols were fired. That sounded like preparation.

Q. Was the fire given and returned actual volleys?—A. No, sir; it seemed like four or five pistols first, and then four or five more, and then a volley that all seemed to fire very close, and all together, not as trained soldiers would give, but just such a volley as untrained soldiers would fire.

Q. It was a volley?—A. Yes; it was a volley, and there was a universal break and dropping shots. I was justified in running away, and I remember distinctly that my flesh crawled, for I could see that they were firing, and I could hear the twigs drop, and see them cut the bushes around. My attention was attracted to it, and I was afraid that I would be hurt. It is to me a most wonderful thing that so few persons, or more persons were not killed instantly. I can only account for it by the fact that the firing was from pistols, and they fired too high.

Q. As an eye-witness of this affray which you have described, would you state to us now, from all that you saw, that it was an unpremeditated affair, so far as you know?—A. So far as I know, it was unpremeditated. I saw no evidence of anybody premeditating the fight there. The only thing that puzzled me was the continuous volley of which I spoke.

Q. That is the only fact?—A. Yes; that is the only thing that could give me any impression that there was premeditation or any purpose. And that volley was to me unaccountable; it was, and is now.

FRANK JOHNSTON'S INVESTIGATION.

Q. Do you know Mr. Frank Johnston, of this place?—A. Very well.

Q. Has he a high standing for intelligence?—A. First-rate.

Q. Do you know whether he made an investigation or superintended an investigation of these facts?—A. I don't know whether he made an investigation, but what occurred that evening. We heard that arms were to be distributed to the colored population. I went to see Judge Johnston. Frank was at home, and I went to Frank and told him that he was a man of influence, and that he ought to use his influence to put a stop to the fuss down at Clinton. He said it was understood that they were about to arm the negro population. I told him that I thought it was not so. I found out from men in whom I had confidence that there was to be no distribution of arms to the colored people. So I went to see him, and he then said he would go out there with a squad of men, among them W. H. Taylor, acting sheriff; that they would go out and put a stop to it. I knew that if such men would go down there, even if there was much disturbance, they could and would put a stop to it.

ABOUT GOVERNOR AMES'S MILITIA SCHEME—EXCITEMENT ABOUT IT.

Q. Was there a general rumor that Ames was about to issue arms to the blacks here?—A. That I heard upon the streets. It was common rumor. I did not speak to the governor myself about the matter. I was a good deal excited, but I was assured by men that I do not think would deceive me, and I know they did not, that there was no such

thing contemplated. I spoke to Gibbs, John Raymond, and a good many other men who went and assured Johnston. They did not like to go without some assurance of that kind.

Q. As soon as Johnston and others understood that the governor did not have that intention, they sent out for the purpose of preventing any further trouble?—A. Yes, sir.

Q. Was the excitement and gathering of those armed bodies caused by that general belief in the popular mind, that Ames was about to arm the negroes?—A. I think it was the second day after the Clinton riot that I heard of it, or the next day; I think it was the next day that I heard of it. In relation to the men I found here, that were armed and went down to Clinton when the train left here, I should suppose half the young men in the town; I did not think that there had been any rumor of that sort—not that I had heard of.

Q. It began when?—A. The next day or the day afterward. The arms were in the State-house in government boxes, and it was rumored that those arms were to be distributed here, and there was excitement. I was very loath to see it done, and went to see whether it was a fact. I knew that it would produce a riot and create a disturbance. The riot would no doubt have been in the State-house yard if the arms had been distributed.

GOVERNOR AMES' RACE-POLICY.

Q. Do you know the general policy, the course of the governor in reference to the relations of the two races?—A. Merely such as I could have from the public estimate.

Q. That is what I wish. Did he or did he not, by his course, either seek to array, or actually array, the two races of people against each other in this State?—A. I can best answer your question by referring you to my actions during this matter of the riot at Clinton, or before any such thing was intimated, so far as I knew. I made a speech at the meeting of colored people out here in the neighborhood of General McKee's plantation, in which I stated to a large crowd, mostly composed of colored men, that we were afraid that the chief executive of the State had not acted in such a way in regard to the difficulties that had occurred in the State as tended to keep quiet and order. That in order to have a quiet and peaceable election, to have quiet and peace in the community, it was their duty to put up the very best men that were in the republican party. That if we did not proceed carefully there would be disgrace and defeat and riotous occurrences, and a good deal of the sin of it would rest on their shoulders. Such was my opinion at the time, and I have seen no cause to change it.

Q. You are a member of the republican party?—A. Yes, sir.

Q. Have you been a resident here during the last ten years?—A. Yes, sir.

Q. Then I will ask you if, from the public history of the control of Governor Ames—whether or not it has been the result of his policy to array the races against each other, or whether it has tended to produce peace and quiet among them?—A. A great deal of ill-feeling has been caused by the policy of the State administration. It is a mere matter of judgment with me. A good deal of it has been caused in this way. I have frequently asserted that to be the fact since I commenced to act with the republican party. I commenced to act with the republican party when it was already damned—when they were pretty well broken down here; and I believe that things had been done here by the act of the State administration, and officers here; and it was not possible to reform and save the State of Mississippi but by sustaining the party

represented by the moderate wing—the moderate republicans; and a number of the wing to which I belonged have opposed and voted against the nominees of Governor Ames.

Q. State your reason for not sustaining Ames?—A. Because we believed his policy, his non-effectiveness, his associations with corrupt men, had brought the republican party into disrepute here.

Q. Do you know whether as a fact—as a public fact—whether Governor Ames's course tended to bring about a good feeling among the races, or to array them against each other?—A. I do not know, sir, that the races have actually, with the single exception of these riots, been directly arrayed against each other here, but I do not believe that the actions of Governor Ames, and the men with whom he was most intimate, such as the editor of the Pilot, Warner, French, Sullivan, and others—that his associations with them has not tended to produce concord among the races. On the contrary, I think, that their selfish purposes have done a great deal to produce a bad feeling which the moderate and best republicans have endeavored in vain to counteract.

Q. Are your opinions on this subject shared by your fellow-republicans in the State?—A. I think my opinions on that subject are shared by the majority of the convention of which I was a member, that met here some six weeks ago. They were shared by a majority, I think.

Q. Did this create a split in the republican party?—A. I cannot say that created it.

THE PEARL RIVER NAVIGATION SCHEME.

Q. Did the split exist?—A. The split existed. I think it was commenced originally with the action of the republican party in regard to the State lands. I think the course pursued in regard to the Pearl River navigation business opened the eyes of many. From that split has been going on until I do not know any people more antagonistic, and do not know greater antipathy, politically, than exists to-day between the moderate wing and the extreme wing of the party.

Q. Will you state this land matter that you spoke of. State that transaction if you can.—A. It is known as the Pearl River navigation swindle business. The State had lands given it from the General Government for educational, and some for other purposes, the improvement of navigation, &c. These men proposed to the legislature that they would do certain things in regard to the navigation if they would give them the land. They gave them the land; the governor approved the bill without taking proper bonds and securities that the service should be rendered. They got possession of the land while the State never got an equivalent.

Q. What was the amount?—A. I cannot tell. It was hundreds of thousands of acres; a very large amount.

Q. Was the land sold?—A. A good deal of it was sold. A portion was sold to a man named Baldwin, a man from Chicago. I think that Warner and French had much to do with it; but Warner got hold of pretty much all the old stock and sold it to this man Baldwin, who came down again with this man O. S. Lee to buy the balance of the lands.

Q. What were they to do in consideration for these lands?—A. They were to improve the navigation of the Pearl River.

Q. Did they improve it?—A. I do not believe they took a chunk out of it; I never heard of it.

Q. They got hold of this land and performed no service?—A. They got the lands and did nothing.

Q. It is known by what name?—A. The Pearl River navigation swindle.

Q. In which the State lost this land and got nothing for it?—A. That is the substance of the matter.

Q. Can you tell the names of the parties?—A. Mr. Warner, who was in the State senate, had a good deal to do with it. He was for awhile chairman of the State executive committee. He was senator from Madison County. I think French had a hand in it, but I cannot undertake to say what I would say. I know this man Warner had a great deal to do with it.

Q. After these transactions became known, did they continue friendly with the party?—A. Yes, sir; up to the time of the last convention.

Q. Did their rascality, as described by you, affect them apparently in the mind of Governor Ames?—A. I will answer for a portion, that they had been his friends.

Q. Was it afterward that Warner was made chairman?—A. No, sir; he was chairman before. As soon as we could, we got rid of him. That is one of the reasons why I thought a majority of the last convention held opinions in consonance with my own.

Q. What effect had this division of the republican party on the late election?—A. This division had this effect: that the members of the party who were able, as they thought, to stump the State, and carry it, did not do what they would have done otherwise.

SCHISM IN THE REPUBLICAN PARTY.

Q. Do you attribute the overthrow of your party in the late election to these divisions?—A. Not entirely.

Q. To what extent?—A. To a very considerable extent. I know dozens of moderate republicans who absolutely refused to sustain the State ticket, and refused to sustain the county ticket, so far as the members of the legislature and members of the senate were concerned. They said they could have nothing to do with such men. This man Caldwell, of whom I spoke, he had been a very fair man in his political opinions, but I think his associations had weakened his influence terribly, so much so that a great many men would not vote for him. The ticket was a miserable one.

Q. It had not the confidence of the people?—A. It didn't have the confidence of a good many of the republican party.

Q. Did you go into any other parts of the State during the canvass in this last election?—A. I was confined to my room; was sick most of the time after the Clinton riot. I went out to the election and back to my room.

Q. You were at the polls?—A. Yes, sir.

A QUIET ELECTION AT JACKSON.

Q. State the character of the election.—A. Everything, so far as I know, was quiet. There was little individual musses, as there will be in any such election.

TERRIBLE INTIMIDATION AFTER CLINTON.

Q. Do you desire to be understood that the election was a peaceable, fair, and orderly election?—A. The election was orderly and peaceable enough, but there was a terrible intimidation after the Clinton riot. I know in this town there was.

Q. Was there anything to prevent them voting, if they desired?—A. Nothing that day, but they were afraid and intimidated.

Q. That grew out of this affray at Clinton?—A. And from a fact that was well known: that there was a readiness on the part of the young men to fight at a moment's warning for almost nothing. That appeared to be a fixed fact that such was the case.

Q. Was there anything to prevent a quiet vote?—A. No, sir; when they wished to vote at all, except that the young men were ready, it was believed, and armed for another conflict.

ABOUT SENATOR CALDWELL.

Q. But if a man desired to vote, he could do so; there was no conflict?—A. Nothing of that sort that I heard of; but I know that the negroes were very much alarmed. In fact, I told Caldwell and Willman if they went back to Clinton they were certain to be killed.

Q. That was after the Clinton riot?—A. Yes, sir; I told Caldwell he had better settle up his books and go, or he would be killed.

Q. Did public opinion attribute the death of these three men, Sivley, Thompson, and Chilton, to Caldwell's action?—A. A good many men did; and they were very much infuriated against him and against Willman, who was afterward put up by the rabid portion of the party here, both he and Caldwell, in defiance of remonstrances.

Q. Was Caldwell a public speaker?—A. He was a strong man, but not much of a speaker. He would make a lucid and strong statement of facts.

Q. Did you ever hear him make a public speech?—A. Yes; one or two.

Q. What was their character; friendly to the white people?—A. Their character was friendly to the white people.

Q. Invariably?—A. Yes, sir; I have heard him accused of being one thing in public and another in private; but so far as I know, and I was thrown with Caldwell a great deal, the man had kind feelings toward the white people. My brother defended him when he shot the white man here, the first man ever killed here by a negro. I came down to Clinton—I lived on the plantation then—and examined that matter very closely, assisting my brother, and was, to a certain extent, associated with him, and I came down and examined the locality, and talked with the people about Clinton a good deal about it and I watched Caldwell very closely for that reason.

Q. Did he kill a white man?—A. Yes, sir; and was tried and acquitted.

Q. What year was that?—A. I think in 1868.

Q. Where was he tried?—A. Before the magistrate at Clinton. The grand jury never found a true bill against him, very properly. In this country we try him to see whether there is reasonable cause, and there was no cause.

Q. Who was the magistrate?—A. I have forgotten; I was not present at the trial.

Q. Let me ask you this fact: whether there was a popular acquiesence in the justice of the action of the magistrate and grand jury.—A. No, sir; for my brother heard he was to be mobbed if he staid there, and that brought him here that night. Being associated with my brother, I was a little interested in Caldwell, and watched him closely.

Q. Do you mean to say that this thing was a popular belief that Caldwell had not killed this man?—A. No; it was a well-known fact that he killed him. His friends owned it. He shot right across a public treet.

Q. Who was this man he killed?—A. He was a son of Judge Johnston's; not this Johnston's here—another man. Judge Johnston was the oldest Mason in the State; very popular family; he had been very popular; a young man of good standing.

Q. Was he killed deliberately?—A. I presume so. The young man attempted to fire, and Caldwell shot first.

Q. Then you consider that it was in self-defense?—A. Yes, sir.

Q. But still it was the belief, and popular feeling was against him?—A. Yes, sir; a portion of the people were against him; I don't think the first-rate citizens of Clinton were.

Q. Did that unpopularity among the white people continue against Caldwell?—A. There was a considerable portion of the white people liked Caldwell, but at the same time a large portion disliked him very much. He had been on terms of friendship with the best men in this town.

Q. When was he killed?—A. Only a few months ago. I do not know. The grand jury stated he was killed in the public streets; shot all to pieces; and the grand jury say they were unable to ascertain.

Q. Where was this?—A. Eight miles from here.

Q. When?—A. Last year, in 1875; I think the latter part. I do not know exactly in what month; just before the session of the circuit court in January.

Q. Before or after the Clinton riot?—A. After.

By Mr. McDONALD:

Q. That was in September, 1875. It must have been in January, 1876.—A. The court met in January. He was killed before the court met, within half a month after the Clinton riot.

By Mr. McMILLAN:

Q. After the election, was it?—A. Yes, sir; after the election. He had been beaten, badly beaten in the election, and I think had got a little reckless, and got to drinking. I think it was in December.

Q. Was he an intemperate man?—A. He had been before, and I had noticed him before that, and warned him.

Q. You say his election was opposed by a considerable portion of his own party, who refused to support him?—A. Yes, sir.

THE WITNESS'S MILITARY RECORD.

By Mr. CAMERON:

Q. Did you take any part in the late civil war?—A. Yes, sir.

Q. Upon which side?—A. I volunteered, sir, on the confederate side, and was in the war until the end.

Q. Substantially from the beginning to the end?—A. Not from the very beginning; from very early in the war until the end of it.

Q. How long were you engaged in the Mexican war?—A. Fourteen months, I think.

COLORED VOTERS VERY MUCH INTIMIDATED AFTER CLINTON.

Q. State generally what was the state of mind of the colored voters prior to the last election in this State.—A. So far as I was able to ascertain—I was not out in the county but very little; but about here the colored population were very much intimidated after that affray. They appeared to avoid contact with the white people. They held no public meeting. I do not think they had a meeting of the republican club after the Clinton riots until some time after the election. I do not think one. I know they did not have many.

Q. How long before the Clinton riot did the difficulty take place at Yazoo City, as near as you can recollect?—A. It was a short time.

THE RUMORS THAT AMES INTENDED TO ARM THE BLACKS.

Q. State whether or not you heard any rumor that Governor Ames intended to arm the colored men prior to the Clinton riot.—A. I may have heard that arms were to be issued to the military companies before

the Clinton riot. I might have heard it, but I never heard of any anxiety, and no reports attracted my attention particularly until after the riot. I think there was a proposition to appoint militia officers, and have a muster both of blacks and whites. I think they were getting up companies. I think both white and black. I do not remember that there was any particular attention paid to it until after the Clinton riot, and after that the feeling appeared to be universal here among us with the white people that the colored population ought not to be furnished with guns and suffered to march about as soldiers.

FRANK JOHNSTON'S INVESTIGATION.

Q. You investigated the matter of rumor and satisfied yourself that there was no intention to arm them?—A. I satisfied myself by going that evening to the governor's mansion, and conversing with men in whom I had confidence, and went to Frank Johnston and pledged myself that such was the case.

Q. To what party does Frank Johnston belong?—A. To the democratic party.

Q. By whose direction and by what authority did he make this investigation into the Clinton riot?—A. He went down there at the request of Governor Ames; that is, I believe that Governor Ames told me, in conversation with him at one time, (the only time I ever had a conversation with him in my life;) I called there to talk to him about it, and told him that Johnston and others—and spoke of Frank Johnston particularly—my attention was called to him; he was going down with Mr. Taylor to stop the difficulties. Mr. Taylor was the acting sheriff, and I knew that he and Johnston could go down and stop the difficulty, and they did go, and after they got there there was no further serious difficulty.

Q. Then, so far as you know, he only went for the purpose of stopping the disturbance rather than to investigate?—A. He went there on this business. I am not sure. He may have gone there for that purpose, but that was not the purpose I understood him to go for.

WITNESS'S POLITICS BEFORE THE WAR.

By Mr. McDONALD:

Q. What were your politics before?—A. An old-line whig; the only one in my family.

Q. And remained so until when?—A. Until I joined the republican party, about two years ago. Really, I am not sure that I ever had any party in the State of Mississippi for many long years. We voted in a hopeless minority here from the time I was a boy; until the war, we voted against the democratic party, but always in a hopeless minority.

FRANK JOHNSTON—HINDS COUNTY.

JACKSON, MISS., *June* 10, 1876.

FRANK JOHNSTON sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside and what is your profession?—Answer. I reside in Jackson, Miss., and am a lawyer by profession.

Q. How long have you resided here?—A. I have resided in the city

of Jackson since 1866. In the summer of 1865 I located in Jackson, a very short time after the close of the late war.

Q. Are you a native of this State?—A. Yes; I am a native of this county.

THE CLINTON AFFRAY.

Q. The attention of this committee has been given to an affray that occurred at the town of Clinton, in this county, in September last: if you have any knowledge of that affair I wish you to state it as fully as you can without suggestion from me.—A. Perhaps, in order to save time, I might make this inquiry of the committee, whether the inquiry goes to the origin of the difficulty and my personal knowledge of it? I was not at Clinton at the time the affray occurred. Shall I state my connection with it?

Q. Yes; state all you know. I may say to you that the committee have not restrained witnesses as to their personal knowledge of events, but they have been permitted to speak of events of which they had no knowledge at all, except by hearsay; but in your case I would prefer that you state your knowledge of facts that you have investigated, and therefore have better reason to understand.—A. I will try to make a brief statement of my own connection with the matter.

On the 4th of September, 1875, on Saturday, I think, about the hour of three or four in the afternoon—perhaps earlier, perhaps a little later, but about that time—I was informed by a gentleman who lives in this town, Mr. Marion Smith, who called at my residence about my dinner-hour, I think about 3 o'clock, and stated to me that he had just received news that there was a fight going on between persons of the two races at Clinton. I think his prime object in coming to me with this information was owing to the fact that my father was at Clinton that day. At all events, that is a surmise of mine. He gave me the information.

TELEGRAPHIC CALL FOR AID FROM CLINTON.

I had just finished dinner, and I walked up town immediately with him. It was a great surprise to me, that news. I called at the telegraph-office and received a message, (whether I received it there or whether the message came to me before I reached the telegraph-office, I don't remember, and presume that is immaterial,) from the mayor of Clinton and Mr. G. N. or G. W. Lewis. It stated that a fight had occurred at Clinton—that was about the substance of it; I did not keep the dispatch—and that they needed assistance; that the white people of Clinton needed assistance.

It became, in a little while, pretty generally known in Jackson, and I concluded to go to Clinton, and various other gentlemen here in Jackson wanted to go to Clinton also, and by general consent we met here in West Jackson at the depot, armed, to go to Clinton.

While here I received another dispatch. I went to the operator here, the railroad-operator, and sent a message to Clinton to Lewis asking for particulars, and what was needed. He did not give me any particulars, but telegraphed again that they needed assistance, and that a special train would be sent up that night for any persons in Jackson who wished to go down there. I don't think I received a dispatch from anybody else, except the mayor of Clinton.

I reckon it would be proper for me to say that I thought it was my duty to go to Clinton under the circumstances. There were, I think, about sixty men over here that evening who were armed, and who concluded to go to Clinton. And I, perhaps, might state this: that frequently here that evening—and by evening I mean late in the afternoon, about

dusk or twilight, and before the train came to carry us down to Clinton—I was informed by some one that Major Allen, who is the commandant of the post here, of the United States Army, was going to Clinton that night, and, perhaps, some of his officers were going with him. I thought it was proper and right to see Major Allen, and I sought him and asked him if he was going to Clinton, and he told me that he was; that he and one or two other of his officers were going there; and they had an ambulance down there, with lamps lit, and the horses all ready to go. They were on the eve of departure.

A COMPANY OF ARMED MEN REFUSED.

I asked him if he was going down, and he replied that he was. I said, "Major Allen, I will meet you at Clinton, then,"—substantially; I do not remember the expression exactly. I said to him, "I have received intelligence that there has been a difficulty between the whites and blacks, and I have been informed by the mayor that the white people are very apprehensive of danger from them, and they want assistance, and I am going down." I think I used this expression to him, or in substance: I stated that our purpose in going to Clinton was to protect the citizens whom we thought needed protection. I think he replied, saying, "Well, I am going down there to keep the peace," or something to that effect. He asked me, "Will you be willing, when you get to Clinton, to co-operate with me to that end, or for that purpose?" and I replied promptly, "I will, sir." I did not see him again until I reached Clinton.

We got aboard the train and reached Clinton that night between 10 and 12 o'clock, and as soon as we reached Clinton I saw Major Allen. I found him down there talking to two or three gentlemen, and we had some conversation. I thought that there was very little, if anything, to be done there at the time, and I believe he was of about the same impression. I remained in Clinton that night, and returned to Jackson on the next day morning. I reached Jackson about 10 o'clock Sunday morning.

This difficulty, or affray, that occurred at that barbecue, was over when I reached Clinton that night. There was no more fighting during the night, and there was none the next morning that I witnessed, or heard of, and I returned to Jackson the next morning by 10 o'clock.

APPREHENSIONS OF A NEGRO ATTACK.

I am satisfied that these people were very apprehensive—the white people there—of an attack from the colored people, and I was told by several persons in Clinton that night, just after I reached there, that their information was that a large body of negroes was massing at a place called the Campbell place, near Clinton. I remained there that night, supposing that information was true. At all events, I remained until next morning, when I was told that it was not true, and that there was no danger of any further trouble from the negroes, and then I returned. Major Allen, I think, returned to Jackson early the next morning.

FRANK JOHNSTON'S INVESTIGATION, WHY MADE AND HOW CONDUCTED.

I made another trip—I suppose that is the point that Senator Bayard called my attention to—to Clinton during the week, within five or six days probably, after this affair of the 4th. I did that at the request of Col. J. Z. George, who is chairman of the democratic executive committee here, to go down to Clinton and examine into the matter, and find out as much as I could of the origin of it, and what there was in it.

I went there and examined a great many persons in reference to the matter. I was assisted by a gentleman named S. M. Shelton, of Raymond, and Judge E. W. Cabinis; he lives in Clinton. Judge Cabinis was the former chancellor, and an appointee of Governor Alcorn. The statements of the persons made before me were sworn to before a justice of the peace at Clinton; and statements were made by both white persons and colored persons, some republicans and I think some democrats—more democrats than republicans. The colored persons that came before us I believe came voluntarily, so far as I know, and their statements were taken down just about as they made them, without any special inquiry or interrogatories put to them.

Q. Were they reduced to writing?—A. Yes, sir; they were reduced to writing and afterward printed. I have a printed copy of them.

Q. Were they attested under oath?—A. Attested under oath before Mr. Carey, a justice of the peace.

Q. Have you them with you?—A. Yes, sir; I have a printed copy of them, [producing copy.] I will make this statement: What I attempted to do was to investigate that in a spirit of fairness, though I don't undertake to say that I was not more or less biased in the matter unconsciously to myself.

After getting these statements, I returned to Jackson and delivered them to Colonel George, together with a very short letter addressed to him, signed by myself and these other two gentlemen. I presume the committee is already advised of the occasion of that affray, and of the fact that there was a barbacue, a political meeting, on the 4th of September, in Clinton.

Q. There have been two witnesses examined here in regard to this, Judge Swann, clerk of the United States court, and Captain Estell. Those are the only two that have been examined that I remember having spoken of this matter, and that attended the meeting. These affidavits were taken by you at the time?—A. Yes, sir; most of them were taken by me. My letter is on the title-page of this pamphlet.

Q. These persons examined by you were eye-witnesses of the occurrence?—A. Many of them were.

Q. And they have stated the facts as they occurred at that time?—A. Yes, sir. That printed copy, that pamphlet, is nothing but their statements, signed by them, and printed verbatim as signed by them.

NO OTHER DISTURBANCE.

Q. Was there any other disturbance during the political canvass in this county of a serious nature?—A. I don't know of any other, sir; nor have I ever heard of any other collision.

WHETHER THE CLINTON RIOT WAS PREMEDITATED.

Q. I will ask you, as a result of their examination, whether you have an idea that there was any premeditation in the assault at the barbecue, or did it spring up suddenly as a local quarrel between excited men?—A. Mr. Bayard, that is very much a matter of opinion.

Q. It would be an opinion, as the result of your examination?—A. That is the deduction; yes, sir. I would say that when I took that testimony at Clinton my mind came to the conclusion that the negroes, who were there in large numbers, and better armed and better prepared for that difficulty, were expecting—were anticipating—some trouble of this kind.

Q. That was the impression that you derived from your examination of the facts at the time?—A. That was the impression I derived from

that investigation. Since that occurred, I have had no other information which would lead me to change my opinion on that point.

APPREHENSION AMONG THE WHITE PEOPLE.

Q. Mr. Johnston, I ask you, as a matter of fact, whether there was any apprehension among the white people of this county of assault from the colored people during the political canvass of 1875?—A. Well, I think this idea obtained to some extent before the Clinton affair: there was an idea that the colored people were inclined to be aggressive; but I don't think there were any serious apprehensions entertained before the Clinton affair of any serious difficulty.

Q. Had there been anything in the policy pursued by Governor Ames prior to that time and during that canvass which led you to that belief?—A. I cannot call to my mind any specific acts, or any specific things, that were done. There was a general, widespread belief that the whole canvass on the part of the negroes—republicans—was to be a very boisterous and aggressive one, politically; and the general impression was that party spirit was going to run very high, if we took a decided stand and made a vigorous effort to carry the State.

THE STATE MILITIA.

Q. Had there been any threats of calling out the militia?—A. I don't know of any prior to the Clinton affair.

Q. Did you hear of any subsequent to that?—A. Yes, sir; the militia was put into the field afterward.

Q. What was that militia?—A. It was composed almost exclusively of colored men.

Q. How officered?—A. Officered, principally, by colored men.

Q. Commissioned by whom?—A. Governor Ames.

Q. Armed by whom?—A. By Governor Ames, with State arms.

Q. Did he form any white companies in this county?—A. He received one at Jackson, and armed it.

Q. Of whom was it composed and by whom officered?—A. It was composed exclusively of white men. It had the minimum number allowed for a militia company. The law requires a certain number, and it had just barely that number.

Q. What was that?—A. Sixty-five, I think.

Q. Was there any political hue in that company; I mean political and party hue?—A. Well, sir, I didn't recognize any politics in that company. I think there were some republicans in it. I can remember one now, Mr. Jeff. D. Bell, who was always classed as a republican.

Q. Who were the officers?—A. John Clinghan was captain. I can't remember now who the other officers were.

"THE PEACE CONFERENCE."

Q. How long did it continue in existence?—A. Until the "peace conference," as they termed it, or the agreement between Governor Ames and the white gentlemen here in Jackson, to disband the militia on the 13th or 14th of October.

Q. Had you cognizance of that agreement?—A. Yes, sir; I witnessed the whole thing.

Q. What was the nature of that agreement, what caused it, and the date of it, please?—A. That opens up a great deal of territory, to tell you all about the negotiations and what led to them.

Q. Our object is to get general information about the condition of this State and the sentiments of its people.—A. There is nothing that I would withhold; I would state anything that any member of the committee desires me to state, that I know anything about. I can commence at the com-

mencement of that: an agreement was made between Governor Ames and the white citizens of this State represented by Col. J. Z. George and a committee of citizens.

By Mr. CAMERON:

Q. State who composed that committee of citizens.—A. It was a large committee; I can give you all the names that I remember; then I could furnish you, probably, with a paper there was a publication of the agreement by Colonel George with Governor Ames's consent and approval.

By Mr. BAYARD:

Q. Can you furnish us that paper?—A. I will endeavor to do so. I can send it over to you Monday morning. Here is what led to it—I mean the facts that preceded it, without giving you any of my deductions or inferences of the motives that operated upon Governor Ames in making it:

THE MILITIA BUREAU—EXCITEMENT AMONG THE WHITES.

This militia was put in the field—perhaps I am not using that expression correctly, but it was organized and officered and supplied with rations and guns, and drilled—the militia was put in the field, composed almost, I may say entirely, of colored men, and officered by colored men. This company in Jackson was received as a white company, and I am sure that a white company at Edwards's Depot was received; and, as far as I now remember, they were the only two companies that were received in the militia. There was one at Raymond that may perhaps, have been theoretically accepted, but it was never armed. The black companies were, without exception, armed, as far as I know.

That militia business created a great deal of excitement in the State. There is no doubt about that as a fact. Whether it ought to have done it, or ought not to have done it, is a matter of opinion, based on the facts; but it did create an enormous amount of excitement, and was generally regarded by the white people in this part of the State, whether justly or unjustly to Governor Ames, as an act of great hostility to them. Political motives were attributed to Governor Ames as furnishing his reason for placing the militia in the field. I don't undertake to say how far that was just to him; but, on all hands, and from all classes of white citizens, I heard but one expression in reference to this militia, which was, that they believed that it was intended by Governor Ames to use that militia to bring about a collision between the races; and the expression was used that it was his ultimate purpose, and this afforded a good pretext, to get United States troops here to carry the election.

Caldwel's militia company, a colored company, were sent to Edwards's Depot, which is a little railroad-station between this point and Vicksburgh. The march of that company through the county added immensely to the excited state of the public at that time.

Q. What was it stated that it was sent there for?—A. It was reported, and I never heard it denied, that it was sent there to escort or guard a lot of arms which were to be taken there for a colored company. I have been told, and I suppose there is no real doubt about it, that one or two days before that a lot of arms had been sent down to arm the white company at Edwards's Station by rail without a guard or escort. When Caldwell's company marched from Edwards's it brought the Edwards company with it to Jackson; for what purpose I am unable to state.

I will say that at that time the excitement was very great. A day or two after the return of Caldwell's company, or about that time, it

was also rumored and currently reported, and generally believed, I may say properly, that Governor Ames intended to send a company of militia, a colored company, to Yazoo County, which added to the excitement.

CITIZENS ASK ITS DISBANDMENT.

About that time this committee of citizens waited on Governor Ames one morning and represented the state of things here, and the great danger of a collision between the races, and begged him to disband this militia, as the only means that would preserve the peace. They commenced a negotiation which ended in this agreement, and in Governor Ames disbanding the militia.

Mr. John Robinson, Mr. Joshua Green, and Col. J. Z. George, Mr. E. Richardson, General T. J. Wharton, and several other gentlemen whose names I cannot now recollect, among the best and most respectable citizens of this town, composed the committee. Do you want to know what transpired at that interview?

INTERVIEW WITH GOVERNOR AMES.

Q. You mean the interview between them and the governor?—A. Yes, sir.

Q. I have no objection.—A. Perhaps I may state how the interview was arranged, though that probably is immaterial—how it came about. I believe the subject was opened by Colonel George, who stated to the governor what he thought was the condition of things here—the condition of public sentiments, and the condition of the country; that it was that Governor Ames's military movements—his calling out the militia, his arming the colored militia, the marching of Caldwell's company through the county with their bayonets fixed and drums beating, and with the paraphernalia of war, the report of this proposed invasion of Yazoo County by militia companies with all the insignia of war—had produced an intense state of indignation among the white people; that Governor Ames's motives were regarded—that his object was regarded—as an attempt to carry out his political purposes; that that was the general idea; that his administration was distrusted by the white people here.

He used this expression: that the people in this country did not understand this thing of flourishing bayonets all over the country, and that if the present state of things continued he believed it would result in a collision between the races. He gave Governor Ames the assurance for himself, and the other gentlemen that waited on the governor, that they desired anything rather than so deplorable a thing as a conflict of races here; that the best way of solving the difficulty was for Governor Ames to disband his militia, and take the pledges of the best and most law-abiding white gentlemen of this country, that the peace of the country would be maintained, and the laws respected. These sentiments in different phrases were expressed by several other gentlemen of the committee.

Governor Ames asked what was desired; and it was suggested to him that he should disband this militia, and that the white people, if that was done, if he would cease to operate the militia through the country, would give him any assurance that they did not desire a state of war here, or a conflict of races.

He then proposed to disband the militia with their arms in their hands; and the objection was made by Mr. Richardson that that would not probably help the difficulty.

Thereupon an adjustment was arranged as agreed upon, as published in the papers; which was, in brief, that the militia was to be disbanded

and sent home, and the arms were to be deposited with Major Allen, who was to take charge of them as the custodian designated immediately by the parties.

Q. Major Allen was the United States officer in command here?—A. Yes, sir.

Q. This agreement was subsequent, as you say, to the Clinton affair?—A. Yes, sir; this agreement was on the 13th or 14th of October, as well as I can remember.

Q. Were you in this county in the canvass after that date?—A. Yes, sir; I have been here from about the first of September until the present time, have not been out of the county since then.

NO FURTHER DISTURBANCE AFTER DISBANDMENT OF MILITIA.

Q. Was there any further disturbance in the county—any collisions?—A. No, sir; not that I heard of. I believe this—it is a matter of belief with me, an opinion—that all the time from the date of the organization of the militia down to the time it was disbanded, the white people dreaded a collision between the races. I believe that the colored people believed that there was going to be a collision, and that they were exceedingly unhappy about it; and, although when the militia was disbanded it might have disappointed some politicians, I think that the negroes felt a great deal better and more at ease. I think it was a relief to everybody who really wanted to see peace and quiet in this country. I am sure that was my sensation.

QUIET ELECTION AT JACKSON.

Q. Were you here on the day of the election?—A. I was here in Jackson.

Q. Did you vote?—A. I voted, sir.

Q. What was the character of the election as to peace and order?—A. I saw no difficulty, and I heard of none. I did not hear of a blow being struck that day, nor of a fist-fight. I did not hear of any disturbance at all, or see the exhibition of a weapon.

Q. Was there a full vote polled?—A. My recollection is that there was a full vote; more than a full vote. I think there was probably an unusually large vote polled here.

NO THREATS AND NO INTIMIDATION.

Q. Did you hear of or had you any knowledge of any kind, of the intimidation of anybody during the election, as to their voting?—A. No, sir; I did not see or hear of anybody being intimidated in Jackson.

Q. Or of violence practiced or threatened toward them?—A. No, sir; I did not hear of a threat. I will state this, that I asked a good many colored men to vote my way, and they refused, and refused very independently, and went on and voted their own way, I presume. On the other hand, I asked three or four to vote my way, and they assented to it.

Q. Was there or not a good deal of dissension in the republican party in regard to their candidates and the policy of their party?—A. I heard there was; yes, sir, there was a great deal of disaffection in the republican party, I believe, during the whole canvass.

Q. Were you present at any other political meetings during the canvass than in this county?—A. No, sir; I was not out of Hinds County during the canvass.

Q. Since the election, what has been the condition of the community as to peace and good order?—A. I expect it would compare favorably with most any community in the country, North or South.

Q. Have you heard or seen anything whatever of intimidation or

violence in this community since the election took place?—A. I have not.

Q. Did a number of colored people vote the democratic ticket in this county at the last election?—A. Yes, sir; I concluded that they did; the majority indicated that. I spoke of several that I asked to vote the ticket, who voted with me.

MILITARY RECORD AND POLITICS OF THE WITNESS.

By Mr. CAMERON:

Q. What is your age?—A. I am thirty-two.

Q. What part, if any, did you take in the recent civil war?—A. I was in the army on the confederate side.

Q. What length of time were you in the army?—A. I went into the army early in the year the war commenced, and remained in the army until the surrender of our army in this department.

Q. To what political party do you belong, if any?—A. Well, sir, I am a democrat.

Q. How long have you been attached to that party?—A. Since I have been a voter. I belonged to no party before the war, and, of course, I belonged to none during the war. Since the war, I have not been classed except as a democrat.

Q. Where have you classed yourself?—A. I have classed myself as a democrat.

Q. Where does your father reside?—A. In Jackson.

Q. To what political party does he belong?—A. He was a whig in ante-bellum times. Since the war, he has co-operated with the democratic party.

THE DEMOCRATIC PARTY IN MISSISSIPPI—HOW COMPOSED.

Q. He has been a member of that party, as you understand it?—A. Yes, sir. The democratic party in Mississippi I may say, Senator, has been composed of the old-line whigs and democrats alike; and the democratic party has been composed, exclusively almost, here of white men; and before last fall the bulk of the republican party had been composed of the other race.

FIRST NEWS OF CLINTON RIOT.

Q. At what time did you first hear of this Clinton difficulty?—A. In the evening of the day when the difficulty occurred.

Q. You heard of it by a telegraphic dispatch from the mayor?—A. No; I first heard of it from Mr. Marion Smith, a friend of mine, who called at my house about my dinner-hour that day. I then went to town, and afterward received a dispatch.

HOW HIS COMPANY WAS ORGANIZED.

Q. How was this company got together that accompanied you to Clinton?—A. Well, I stated this in the telegraph-office: I said that these people needed assistance down there; they ought to have it, and that I proposed to go to Clinton, and that others ought to go. There was quite a party there who said they would go, and others fell in and joined; and we agreed to meet down here, which we did late in the evening.

Q. What organization, if any, did you have here?—A. We effected an organization here that evening, just before we got on the cars. It was effected, I think, in this way by young Mr. Green, son of Mr. Josiah Green, a banker; it was proposed by him that I should take charge of that organization, or extemporized company, and it was agreed to by acclamation, I believe.

Q. You then were elected captain, as it were?—A. Yes, sir; you may style it captain.

REPORTED AMBUSCADE OF NINE TO A DOZEN NIGGERS.

Q. What other officers, if any, were elected or appointed, or agreed upon for the company?—A. None at all, sir, I believe. I designated one or two persons to assist me in going down there that night; and I will tell you how I came to do that, sir. When I got aboard the train, Mr. Pine, the conductor, came to me and said, "Mr. Johnson, I think it is my duty to tell you that there is an ambuscade arranged for you at a place about two miles from Clinton." He says, "As I came by there I saw from nine to a dozen niggers—it was a moonlight night or a starlight night—I saw them on the bank of the railroad, by a tank, and I saw their guns, and I am sure they were armed. I think you ought to know that." I told one or two persons in the party—probably two or three. I told the conductor if that was the case, we must move down very cautiously to Clinton, and that he must move the train very slowly, and keep a good lookout for any obstruction on the track. After getting out, about a mile and a half from Jackson, there was a rifle-shot fired at the train, which I was told penetrated the tank of the engine. That tended to confirm me that I would probably meet with resistance going to Clinton.

We moved down slowly until we came within about a mile of this tank, and I then concluded to stop the train, and take the men out of the cars, and place them on each side of the railroad, and move down on foot to the tank to see what was there. I did not want to run the train down there and wreck it on what I presumed would be some obstruction on the track, and probably, from information of the engineer, an armed body of negroes there to attack me. That led to the appointing of some persons to act temporarily as assistants in the company; I designated two gentlemen; I forget now who they were.

NO AMBUSCADE AND ONLY ONE NEGRO.

Q. Did you find an ambuscade there?—A. No, sir. I sent a few men—two or three; a small party—down the railroad in advance of the main body of men that I had, and they found that the track was obstructed, as I understood, with rails and logs, and ran one negro off, whom I presume was a picket of some sort on guard there; but I did not find the negroes that the conductor had reported to me were there. We removed the obstruction, and got on the train and went to Clinton.

WENT DOWN ON A SPECIAL TRAIN.

Q. Did you go down on a regular or a special train?—A. On a special train, sent up.

Q. Sent from Clinton here for the purpose of taking you down?—A. Yes, sir.

Q. When did you first receive notice that that train would be sent here for you?—A. I received notice some time about dark, I believe—perhaps some time after dark; I am not perfectly clear as to the precise time.

Q. How many men accompanied you to Clinton?—A. About sixty, I believe, sir, as near as I can remember now; perhaps one or two more, perhaps one or two less.

THE COMPANY WAS PREPARED FOR BATTLE.

Q. Were they armed; and, if so, in what manner and with what weapons?—A. Many of them had shot-guns; a few of them, I suppose—I can only guess at it, I did not pay special attention to it—ten, fifteen, perhaps twenty—had army guns—needle-guns; one or two had Winchester rifles, and some had nothing but a pistol.

Q. Did your company have ammunition?—A. Yes, sir; I think they had some. I think the men who had the army guns had two or three rounds, probably three or four rounds, apiece; I presume, though I had no information on that point, that the men who had the shot-guns had something to load them with.

Q. You understood that they were prepared for battle?—A. Yes, sir; I understood that. I never would have gone down with empty guns, of course.

ARRIVAL IN CLINTON.

Q. What time did you arrive at Clinton?—A. Between 10 and 12, as near as I can remember now.

Q. Were you met by His Honor the Mayor, after you got there?—A. No, sir; I was not met by the mayor.

Q. Did you see him?—A. I think I saw him that night, but I am not perfectly sure whether I saw him that night or not. I am sure I saw him that night or early next morning before I left.

CLINTON NEVER HAD BEEN IN POSSESSION OF THE NEGROES.

Q. You may state whether or not you found large numbers of negroes there, whether they were armed, or what hostile demonstrations, if any, they made.—A. I found no large number of negroes in Clinton. The town of Clinton is a little village, and I found it in possession of the white people, and the negroes had never had possession of the town. The riot or affray occurred probably a mile from Clinton.

Q. About what number of negroes did you see in Clinton?—A. I only saw a few in Clinton; I presume the negroes who live there. I saw none of the country negroes in Clinton, and I don't believe any of them were there.

Q. You may state whether those negroes you saw there were armed or not.—A. No, sir; I did not see any armed in Clinton.

Q. What white men—I do not mean what residents of the town, but state whether or not there were any other armed companies, besides your own there.—A. There were.

Q. Where were they from, and how many were there?—A. I can only approximate that: there were two companies from Vicksburgh; I don't know how many men were in each of these companies; I presume there were 40 or 50 in each company.

Q. State whether they arrived there before you.—A. There were some there; whether there was any other organization—now I am speaking of the Vicksburgh companies—I don't know whether it was an impromptu organization like my own or not; I presume that they were. I am not positive as to that, however. There were other men who were not from Vicksburgh and not from Jackson, but whether they were coming in singly in twos or threes, or whether they had perfected a temporary organization or not, I am not sure.

THREE TO FIVE HUNDRED ARMED WHITE MEN IN CLINTON.

Q. About how many, as near as you can estimate the number, of armed white men were in Clinton that night?—A. I do not think I saw more than one hundred, probably one hundred and fifty, that night; they were dispersed throughout the town though, and it was said that there were between three and five hundred. I do not know that anybody had any correct estimate of how many there were there. There was a goodly number there, however; an abundant number to take care of the place and all the white people there undoubtedly. I think there was a pretty strong force at Clinton; between two hundred and fifty and five hundred I should say.

Q. Did you place pickets about around the town?—A. I did not, but I understood that there were patrols that night; in other words, there were men on guard in Clinton that night.

Q. Did you know whether any armed negroes from the country attempted to enter Clinton that night or not?—A. I am satisfied that they did not.

Q. You stated, I believe, that there was no fighting or disturbance—I think those were the words you used—in town that night after you arrived there?—A. None, sir; none at all.

ONE DEAD NEGRO SEEN.

Q. Was there any disturbance next morning before you came away; were there any negroes killed? I don't ask you whether you have personal knowledge of it or not, but whether, from information or otherwise, there were negroes killed the next morning; and, if so, how many and by whom killed, as you understand it.—A. I am going to answer that question in two ways. In the first place, at Clinton I had no personal knowledge, nor was I informed when I left Clinton, that any negroes had been killed that morning, except that I saw the dead body of one negro; but when he was killed, or how, and by whom, I don't know. I have never been told.

Q. You made no inquiry as to how it happened?—A. I did not ask who killed him. It was just as I was leaving town. I saw him in the street; he was near a little market there.

Q. Did any one appear to have charge of his body, or was he just lying there dead?—A. He was just lying there dead; it was early in the morning. I believe I did ask the question—it would have been a natural one—how that negro was killed; and I asked it of my own men, and they replied that they did not know anything about it; they presumed that he had been killed that night; and I have no doubt that he was killed by white men.

SEVEN OR EIGHT NEGROES KILLED NEXT MORNING.

Q. Did you afterward ascertain, or were you afterward informed?—A. Now I will answer that other part. When I went to Clinton to make this inquiry, I asked everybody that I thought could tell me how many negroes were killed the next morning; and I stated in my report to Colonel George that I inferred that there were about seven or eight negroes killed the next morning; that is, in Clinton and in the vicinity of Clinton. I know this; that there were all sorts of reports about the number, and the reports among the negroes in circulation was that that number was very large.

Q. But from the best information you could get there, there were six or seven?—A. There were six or seven, and I cannot say how many more were killed. I would not undertake to say that. I mean to say, I do not undertake to say how many I might have heard of being killed.

Q. Did you ascertain from your inquiries, with any certainty whatever, as to whom they were killed by?—A. I might have saved you the question. They were killed by white men, you know. The negroes that were killed were killed by white men; they were not killed by negroes.

Q. State whether it was done by white men from this city or from Vicksburgh.—A. The men from Jackson came back with me. Some of the killing was attributed to the Vicksburgh men. Whether they did it or not I did not know; neither did I have any information that would lead me to conclude that they did it, or how much of it they did.

Q. So far as you know, the only armed men that were there were your company and the two companies from Vicksburgh?—A. And those other

persons from the country who were there. There were a good many from the surrounding country. I think some came from as far as Newton, the lower part of the county. All the men who were there were armed in one way or the other, either well or imperfectly armed.

Q. Did you ask the names of any of the negroes that were killed the next morning?—A. No, sir; I did not. I don't think I could give you the name of a negro that was killed there.

Q. Did you ascertain that a very old negro was killed?—A. I heard by report that an old negro had been killed, but his name I never learned; or, if I did, I have forgotten it; and I don't know whether it was a fact or not.

Q. Did you ascertain where he was killed?—A. No, sir; not the precise place.

Q. Where were those negroes generally killed?—A. It was reported generally that they were killed in the vicinity of Clinton, out in the country. I don't know but of one negro that was killed in Clinton, and I presume he was killed by white men.

SAW A MAN SHOOT AT A NEGRO.

Q. Did you see any white men that attempted to shoot negroes or kill negroes when you were there? Didn't you, in fact, interfere to prevent it yourself?—A. Now I will tell you, sir, the only thing I saw in the shape of a demonstration of violence at all—and I am glad you called my attention to that—was very early in the morning, when I was going down to the depot to try to get on the train which left me, and which had carried off nearly all my men. I saw a man some distance from me shoot at a negro. The negro ran off. One or two more shots were fired at him, and I called on the men not to shoot any more; and as far as I could see the negro he was running across the field.

Q. Was that negro armed?—A. No, sir.

Q. How many shots were fired?—A. Several, sir. I did not count them. I did not know who the negro was, or who the white men were. They were some distance off.

Q. Were they fired by your men?—A. No, sir.

Q. But were fired by white men?—A. Yes, sir; some distance, probably one hundred or two hundred yards from me, and the man whom I saw shoot at this negro was a stranger to me. I never learned his name, and did not ask.

Q. What was the negro doing at the time?—A. Was not doing anything. The first shot I did not see the negro, and then I looked and saw the negro running, and this white man firing at him and several others. It was very early in the morning.

Q. Did you see any other negroes around town?—A. No, sir, I did not. I think that was the only negro I saw that morning. Perhaps there was one about the depot, but I am not positive as to that now. My recollection is that I saw another one about the depot, who was probably employed there for some purpose or in some capacity.

NOT SAFE FOR NEGROES TO APPEAR IN THE STREET.

Q. Was it not understood that it was not safe for negroes to appear in the street that morning? Did you not understand it so yourself?—A. Well, I did not think it was safe for them.

Q. Why not?—A. Because the people there were very much excited, and very much inflamed at what they called, and what they regarded then, as an unjustifiable killing and mutilation of those white men the evening before.

THREE WHITE MEN KILLED.

Q. How many white men were killed the evening before, according to the best information you have?—A. There was young Sivley was one, Thompson was two, and Chilton was three.

Q. Any others?—A. I don't call to mind any other white men.

NUMBER OF NEGROES KILLED.

Q. How many negroes were killed the day before?—A. There were several, sir.

Q. How many?—A. I presume there was three or four, perhaps as many as five; that pamphlet, I believe, contains the number of negroes that was killed.

Q. Do you recollect whether you made that statement to Colonel George or not?—A. I am not sure that I did, sir; but it will show for itself.

STAY OF THE VICKSBURGH ARMED MEN IN CLINTON.

Q. From the best information you have, Mr. Johnston, how long did those armed men from Vicksburgh and from the adjoining country remain in Clinton?—A. I think nearly all returned that day, sir; though possibly they may have remained a little longer.

Q. Have you any information on that subject?—A. I have been told that they did remain, but the most of the men returned on Sunday. I have been told—I don't know whether it is perfectly reliable or not—that several men who came from Vicksburgh remained in Clinton probably a day longer than Sunday—a few, I presume, only.

THEY KILL NEGROES ON SUNDAY MORNING.

Q. Have you any information to the effect that any of those men raided around through the country shooting negroes?—A. That is what I have spoken of, on Sunday morning. I have no information, and I have no reason to believe, that after Sunday there was any raiding or shooting or killing at all. The killing of negroes Sunday morning was all the killing that I have been informed of or heard of.

The CHAIRMAN. In your letter to General George, you say, "During Saturday night and Sunday morning, perhaps seven or eight negroes, who were supposed to be leaders in the affray, were killed by the whites, who were indignant at the murder and mutilation of their white friends."

By Mr. CAMERON:

Q. Did you have any testimony to show this?—A. No, sir; I don't know the names of those negroes.

NO TESTIMONY TO SHOW THEY WERE LEADERS.

Q. Did you have any testimony to show that they were leaders in the affray?—A. No, I did not.

Q. By whom was it supposed that they were leaders in the affray?—A. I did not carry that into the examination I made, but it was more the opinion of persons there.

Q. What did you derive that opinion from; whether or not you had any testimony showing that?—A. No, sir; I did not go into any investigation of that question, as to the motives that led to the killing of those negroes; but, from the whole state of affairs, I came to the inference that it was the indignation——

Q. You came to that inference without any testimony?—A. No, sir; I did not attempt anything of that kind. I asked persons there; for instance, some suggestions were made to me; I could not of course inquire

into everything I heard about, but I asked several persons how many negroes were killed. I asked Lewis, and he said he had heard of some seven or eight or nine. The supposition was that they were killed by white men who were indignant at the killing of those white men the day before, and it was mere matter of inference to me that the negroes who were killed were supposed to be implicated, and not that innocent negroes should have been killed.

Q. You heard that one very aged negro was killed?—A. I say that I heard that report; whether it was true or no, I don't know.

Q. Did you hear that he was a leader in the affray that took place the day before?—A. I did not.

Q. Did you hear that the negro whom you saw dead on the street was a leader in the affray the day before?—A. No, sir, I did not.

Q. Did you hear that the negro whom you saw several white men fire at was a leader in the affray the day before?—A. No, sir.

Q. Which of the negroes that was killed did you understand was a leader the day before?—A. I can only answer that in this way: I did not go into a special inquiry as to which of the negroes were leaders, or whether they were leaders who were killed, but that was more my own inference than anything else.

REPORTS BEFORE GOING TO CLINTON.

Q. Before you started from Jackson for Clinton on that evening, did you see and converse with any persons who were at Clinton during the affray and had returned to Jackson?—A. I don't remember that I did, sir.

Q. Did you see Captain Estell?—A. I cannot call to mind; I don't remember of seeing Estell that evening.

Q. Did he not state to you and your company that there was no necessity of your going down there at all; that there were no negroes there, or language to that effect?—A. I have not the slightest recollection of it.

Q. At the time you left, had you any information that the negroes had fled from the town of Clinton?—A. Yes, sir, I had; I told you how I got that information. You asked me just now if I had conversed with any eye-witness before leaving Jackson. I did not remember to have conversed with any eye-witness, but I was either told in one of those dispatches, or I learned it from some gentleman who came on the regular train that evening from Clinton after the fighting had ceased, that the negroes had all left Clinton in the direction of Campbell's place, which is toward Edward's Depot, and that the white people were then in possession of the town. I remember in one of those dispatches—which seemed to have been a point of apprehension to the people of Clinton, the mayor stated that they apprehended an attack; that the negroes would mass and attack the city. I think that was the fear, sir.

NOT A DOZEN NEGROES IN CLINTON.

Q. You may state whether or not many of the negroes from Clinton or that vicinity assembled in Jackson soon after the Clinton affray; whether they came in here in large numbers or not.—A. There were a good many negroes in Jackson after that from the country. How many came from Clinton I cannot inform you. Clinton is a pretty small place, and I do not suppose that there are a dozen negroes in Clinton. It is a little bit of a village, and many of the persons residing there are very poor, and have very few servants, and many of them none. I think there were some Clinton negroes in Jackson.

WHAT REFUGEE NEGROES REPORTED.

Q. Did you hear from the negroes who came to Jackson immediately after that affray why they came here and left their homes on the plantations where they had been at work?—A. It was said that they were apprehensive of some harm to them from the white people.

Q. You understood that to be the reason of their coming?—A. That was given as the reason why they came. Now, as to what was actually operating on their minds, I cannot, of course, say; but that was the reason they gave, and the reason their political friends gave, as to their coming into Jackson.

Q. When and by whom was it first proposed to you to go to Clinton and investigate this matter?—A. I don't remember, sir. I don't remember, indeed, how it came about.

INVESTIGATED FOR THE CHAIRMAN OF THE STATE DEMOCRATIC COMMITTEE.

Q. Can you give the committee an idea as to when it was first suggested to you, and by whom?—A. I said I went down at the instance of Colonel George; but whether I mentioned it to him first, or whether he mentioned it to me first, I am not positive, but my recollection is that Colonel George one day said to me—I think a short time afterward—I think it was at his suggestion—I think he opened the subject and told me that he thought it would be a good thing to go down there and get a statement up about that affair.

Q. That is his statement, as near as you can remember?—A. Yes, sir; and I tell you why I think he did so was because the republicans here represented the Clinton riot as a horrible outrage on the colored people.

Q. What instructions, if any, did General George give you in regard to making that investigation?—A. None, except to go there and examine the persons who knew all about it, and write out their statements.

Q. How many persons did you examine there in regard to this thing?—A. I cannot remember the exact number, sir, but the testimony of each one examined is in that pamphlet.

THREE NEGROES AND TWENTY WHITE MEN EXAMINED.

Q. How many republicans did you examine?—A. There were several negroes examined, and I presume they were republicans, [examining pamphlet;] three, I think—three colored persons.

Q. How many white men were examined?—A. The pamphlet shows that there were twenty-three affidavits in all. It shows the color of each witness, whether white or colored, though it is possible there are some there that are not designated. Some of these statements contained in this pamphlet were not made before me. The statements of Ramsey Wharton, jr., and Jesse Wharton were handed to me by their uncle, General Wharton, in Jackson. And other statements contained in this pamphlet were taken by either Judge Cabinis or Mr. Shelton. All the statements or affidavits contained in this pamphlet were not taken at Clinton, though most of them were. For instance, the statements of the two Messrs. Wharton were handed to me, as I have already stated, by General Wharton. The affidavit of H. O. Dickson, I see from this pamphlet, was made before a notary public, and whether it was handed to me, or General George, or the printer, I am not able to state. I think, however, it was handed to me. The affidavits of S. S. Hubbard, C. W. Grafton, and J. W. Lowry purport to have been made before J. W. Covington. The joint affidavit was sent to me by some person living at

Raymond, whose name I cannot now recall. According to the best of my recollection, all of the affidavits were taken at Clinton, by either Judge Cabinis, Mr. Shelton, or myself, except those that I have specifically designated as being taken elsewhere. The pamphlet shows that there are three statements of colored men, and the name of J. W. Lowry is followed by the abbreviation "Rep.," by which I infer was intended to designate his politics as republican.

Q. Then you state from an examination of the pamphlet that there are twenty-three affidavits, three of them made by colored men, and one made by a white republican, as you suppose?—A. As I presume; I do not know whether he is white or colored; there is nothing there to show it.

NINETEEN DEMOCRATS AMONG THEM.

Q. And what were the politics of the other nineteen, as far as you know?—A. I judge them to be democrats; as far as I know I don't presume there is a republican among them; if there is, I did not know it then nor now.

Q. Who assisted you in making this examination?—A. Judge Cabinis and Mr. S. M. Shelton.

ALL DEMOCRATS WHO INVESTIGATED.

Q. What was their politics?—A. Mr. S. M. Shelton is a democrat; Judge E. W. Cabinis I have always classed and regarded as republican since I have known him. Last fall he acted with the democratic party, but whether he called himself a democrat, or only operated with them, as I think a good many other republicans did here—well, several others that I know of.

Q. Was Judge Cabinis acting with the democratic party at that time that he was assisting you in making this examination?—A. I believe that he and I were in full political accord in that campaign, at all events for the purposes of that campaign; he had always been a republican before that.

Q. Which wing of the republican party did you recognize him as belonging to?—A. I understand that he has been rather classed as a home republican, in contradiction to a carpet-bag republican, I think; there has been more or less feeling between them.

Q. Sometimes designated as Alcorn republicans, are they not?—A. They are sometimes called that way; whether that would be a correct classification I do not know, or whether the two classifications are coextensive with each other, embracing the same men, I do not know.

NO OFFICIAL AUTHORITY TO MAKE THE INVESTIGATION.

Q. You had no official authority to make this investigation?—A. None in the world, and did not pretend to have, and I said to everybody who came before me that I had not any official authority.

Q. I will ask you as a lawyer whether perjury could be predicated on any of those affidavits?—A. I do not think it could, sir; that is my legal opinion.

NO PERJURY BY VOLUNTARY AFFIDAVITS.

By Mr. McDONALD:

Q. Have you any statute in this State that makes it perjury where a party makes a voluntary affidavit and subscribes to it?—A. I am not aware of any such statute just now, sir; but in making the affidavits I attached the same moral importance to the sanction of that oath as if that was the case.

JUDGE SWANN NOT EXAMINED.

By Mr. CAMERON:

Q. You are acquainted, I believe, with Judge Swann?—A. Yes, sir; I have known him for a long time.

Q. Is he a man of good character?—A. Yes, sir; I regard him as a man of excellent character. I have known him long and well.

Q. Didn't you at the time you made this examination at Clinton know that Judge Swann was present and noticed at least a portion of the disturbance?—A. I know Judge Swann was there, sir.

Q. Your father made the speech there, didn't he?—A. Yes, sir. I was not advised, though, as to whether Judge Swann was an eye-witness of the origin of this difficulty.

Q. Did you ask him before you made this examination?—A. No, sir; I did not. I did not have conversation with him.

Q. Did you ask him to make an affidavit?—A. No, sir, I did not. I did not ask anybody to make an affidavit.

WITNESS'S PURPOSE AND HOPE IN MAKING THE INVESTIGATION.

Q. For what purpose did you understand that that pamphlet was to be used when you were making the examination?—A. In exoneration of the white people of Clinton.

Q. Whom do you mean by the white people, the democratic party or not?—A. It is only calling the thing by two different names; the white people there were democrats, and the democrats were white people. I mean the white persons who participated in that affray. I went to Clinton with the hope that the investigation would show that they did not produce that conflict, and I think my anticipations were fully realized; but I went there without knowing.

Q. You made the examination at the request of the chairman of the democratic State central committee?—A. Yes, sir.

Q. And you made your report to him?—A. I did; I addressed him that letter on my return.

Q. And delivered either actually or theoretically your report to him?—A. Handed it to him in person, with this letter.

Q. Whether or not you understood it was to be used by the democratic party in the campaign?—A. Colonel George did not tell me what he was going to do with it when it came back. He asked me to go there and clear up this thing—investigate it. When I handed him the papers, I had one or two conversations with him—no set appointment for the purpose of discussing this matter, because I saw him frequently during the canvass; but it was incidentally mentioned as to whether he would publish it or not, and he finally concluded to publish it, because he thought it was a complete exoneration of the white people who participated in that riot.

I do not know—I reckon you want to get from me an opinion or impression hypothetically as to what was to be done with if it it had turned out to be unfavorable. I am not advised of what would have been done under those circumstances; but I would have delivered the statement to Colonel George, accompanied by such remarks as I thought proper and fair, and left him to decide; but I don't think that I ever dwelt in my own mind upon the idea or inquiry as to what was to be done with it if it had turned out to be a little unfavorable to us.

HOW WITNESSES CAME TO TESTIFY.

Q. Was it your intention not to take the testimony of any except those who voluntarily and without solicitation on your part, or the part

of your associates, appeared before you? How did they happen to make affidavits?—A. They happened to do it in this way: I went down to Clinton and saw Judge Cabinis, and met Mr. Shelton there the day that I went down. I don't remember exactly what day it was. I think before I went to Clinton, Colonel George had made the same request of Mr. Shelton, and doubtless he had made the same request of Judge Cabinis. Those gentlemen were advised that we were going to inquire into that matter, and so when I went down there I presume they had suggested it to persons that they thought would know something about this matter, and several gentlemen appeared before me, and I presume they suggested it to others. I do not know whether those gentlemen who came before me to testify were asked to come or solicited to come, or simply informed of the fact that I wanted to find out about that Clinton business, with the other gentlemen with me.

Q. Is it your opinion that those who appeared before you appeared at the request, or solicitation, or suggestion, or advice of those two gentlemen, who were associated with you or any other persons who accord with them politically?—A. I suppose this: that all the persons who came before me certainly came voluntarily; I had no legal authority to force them to come, and no force was attempted to be used, or dreamed of being used. It is a matter of inference with me. They were either requested by the two other gentlemen, or by gentlemen there, who were advised that we wanted to get at the bottom of this thing; or else they simply came on learning that we desired to make this investigation.

Q. So far as you know, did those who appeared before you and your associates at that examination, know what your and your associates' political opinions were?—A. Yes, sir; I presume they all did; I do not entertain a doubt of that.

WHY HE DID NOT CALL AS MANY REPUBLICANS AS DEMOCRATS.

Q. If it was your object to arrive at a true statement of that difficulty, please explain why you did not call as many republicans as democrats to testify?—A. Well, sir; I can probably answer that by saying that most of these men who testified there were known to me personally; I confided in them fully, and I regarded their testimony as sufficient to satisfy my mind on those points. Several witnesses whom I know personally were eye-witnesses, and knew as much personally as any one else on the ground could have known.

Q. Then you did not call the repulicans because you did not have any confidence in any statement that they might make?—A. No, sir; not necessarily. I do not think my idea would legitimately resolve itself in that. I took the testimony of three colored men, whom I presume were republicans; I don't know, but my general recollection of that matter now is that they were in conflict with the white men. If I had examined every colored man on the ground I would not have finished in a year; but after taking the testimony that actually was taken, I concluded that I had reached the true facts of the case.

Q. And you did not think it necessary to go any further?—A. No, I did not; not that I did not believe a man on oath because he was a republican. Many of the white gentlemen there whom I know I would have relied upon their statement made in that way, as far as I would have relied upon their statements under oath; and I regard many of them as of the highest integrity of character.

REPUBLICANS WHO WERE PRESENT AT CLINTON.

Q. Were you aware then of the names of any prominent republicans who were present at the Clinton affray?—A. I know generally that

Charles Caldwell and Eugene Welborne were there, and perhaps a son of Charles Caldwell, who were generally considered leaders, were on the ground at the time of the affray.

Q. Do you know of any white republicans who were there?—A. I spoke of Judge Swann just now. I know he was at Clinton on that day, and I know that Captain Estell was there on that day; and Captain Fisher was there. Those are the only three whose names I can call to mind.

THE COLORED WITNESSES.

Q. Were you personally acquainted with the three colored men whose affidavits you incorporated in that pamphlet?—A. No, sir.

Q. Did you know that they were republican leaders or not, or regarded as such?—A. I did not, sir, indeed.

Q. Why did you take their testimony in preference of all other republicans?—A. Simply because they came there to me, either voluntarily or at the solicitation of some other persons, I don't know which, and said they were willing to make a statement to me; and I explained to them that I had no official authority to take their statement, and if they chose to do it I would write down all they had to say about it. I did write it down as fully and fairly as I could.

Q This Mr. Lowry you are not acquainted with?—A. No, sir; that was taken in the lower part of the county.

Q. You don't know of your own knowledge whether he is republican or not?—A. No, sir; I do not. I stated that "Rep." was opposite his name, but I do not know that that was intended to designate him as a republican; that is a mere matter of inference with me.

Q. How long after this examination was made was it published, under the direction of the chairman of the democratic central committee?—A. I cannot remember the exact time.

Q. About how long?—A. I think, probably, in the course of a week or ten days it was placed in the printer's hand.

THE REPORT CIRCULATED AS A CAMPAIGN DOCUMENT.

Q. What was done with it after it was published; was it circulated as a campaign document?—A. Yes, sir; it was circulated as a campaign document. It was a fair, open, and above-board document. It says, "Published and distributed by the democratic conservative executive committee."

I will make an additional statement on one point. At the inquiry into the origin of this difficulty, after taking the testimony of many eye-witnesses—white gentlemen whom I am acquainted with and regard as gentlemen of veracity and integrity of character—I was satisfied in my own mind that I had arrived practically and fairly at the facts in the case, and that is the main reason why I did not extend the examination any further, as I would have developed no new facts by so doing. I thought it was impossible that they all could have been mistaken as to the facts which they stated they saw.

THE STATE MILITIA.

Q. By what authority were the militia companies of which you have spoken organized?—A. Under State statute.

Q. You can state whether or not a proclamation was issued by Governor Ames, inviting citizens of the State to organize in militia companies, or something to that effect?—A. White people?

Q. Citizens of Mississippi.—A. I don't remember such a proclamation. I do not mean to say that it was not issued, but I do not recall it just now; but of course it is a matter of record and would speak for itself.

Q. As a matter of law and fact, could not the white people have organized themselves into companies just as easily, as far as any legal question was concerned, as the negroes?—A. The white people could have organized together, and could have gone through the form of electing their officers, if you mean that, by thus organizing themselves; they could have become a militia company by virtue of such organization; but I presume that it required the acceptance by the governor of a militia company raised in that way before it would come to be a militia company under the State law; at least that has been my notion about it.

Q. How many negro militia companies were organized and accepted by the governor?—A. There was one in Jackson, Tapley's company; one in Clinton, Caldwell's company; one at Edwards—the name of the captain is unknown to me; and I believe a Brownsville company.

Q. Four in all?—A. Yes, sir. I think those companies, all four of them, were armed. I have been told there was another company north of Jackson organized and accepted, but whether it was armed or not I am unable to say. I cannot call to mind now any more companies but those. I have understood that there was a white company near Jackson organized and tendered to the governor, which was never accepted; I know it was never armed.

Q. How many white companies were organized and accepted?—A. I only know of two, sir.

Q. Where were they organized?—A. One in Jackson, Mr. Clinghan's company, of which I have spoken, and the Edwards's Depot company, which was armed, I presume a short time—a few days before the militia was disbanded; but during a greater part of the time of this militia business, only one white company was in the field.

I will state this, sir, and I expect it will be fair and proper for me to do it, as a matter of public history, that there was a pretty general impression among the white people that the white companies would not be accepted, and the report that this one here had been tendered and had not been accepted strengthened that opinion. I do not state as a fact that that company was tendered and refused, but that was the general belief.

Q. It was generally believed by whom?—A. By white persons here; it was the current opinion among white people. I do not know what the negro sentiment on that subject was.

Q. Did you or any other democrats, as far as you know, ever apply to the executive of the State for the purpose of ascertaining whether or not that white company was accepted?—A. I did not.

Q. Was it attempted or not?—A. I do not know.

Q. Then you had a mere rumor of it?—A. That is all; that is all I am speaking of now, sir.

Q. Could you not, as a matter of fact, have ascertained?—A. I could have done so.

Q. You resided here during that time?—A. I did.

Q. Colonel George is a resident of this city, is he not?—A. Yes, sir.

Q. Mr. Barksdale is a resident here?—A. Yes, sir; Mr. Barksdale, the editor of the paper, is a resident here, if you mean that gentleman.

THE PEACE-TREATY COMMITTEE REPRESENTED THE DEMOCRATIC PARTY.

Q. Yes, sir. You stated in regard to this committee that negotiated a peace with Ames, that they represented the white people of the State: now, I will ask you, as a matter of fact, if they did not represent the democratic party only?—A. Yes, sir; they did.

Q. That is all?—A. It may have been in a certain sense a self-constituted committee; but a very large public meeting was held in Jackson afterward, which ratified their action, and I believe it was generally approved in the State.

Q. Were they recognized as a committee representing the democratic party of the State?—A. Yes, sir; it was called a citizen committee; I think it represented the democratic party; and if it did represent the white citizens, it did represent the democratic party.

ABOUT THE STATE MILITIA INVADING A COUNTY BY AUTHORITY OF THE GOVERNOR.

Q. You said that it was understood that these companies were to invade—that is the word you used I believe—Yazoo County. Now, so far as you have any knowledge or information, state what militia companies were to be sent, or what militia companies Governor Ames talked of sending, into that county. What I want to get at is, whether or not this white company, as well as the colored companies, was going.—A. I never heard anything said by anybody about sending a white company to Yazoo City, and it was generally believed that the colored company was the one that would be sent.

Q. Was any militia company in fact sent to Yazoo County?—A. It was not. The governor promised in that conference not to send them to Yazoo County.

WHAT THE DEMOCRATS PROMISED IN THE TREATY.

Q. What did this democratic committee promise to do on their part in that compact?—A. I can only speak from my recollection now of the printed agreement. My understanding of that was, that the best security—Colonel George put it in that way—that the best security that Governor Ames or anybody could have for peace and order in this country——

Q. This State, you mean, I suppose?—A. Yes, sir; this State—was the moral sentiment of the best classes of white people here, which he thought was in the direction of law and order and peace; and in pursuance of that idea Colonel George made the pledge that he, for the white citizens, or for the democratic party, if you so choose to term it, would use all means in his power in the interest of law and order to restrain anybody who at any time might desire to produce any difficulties.

Q. Did he not agree that the republicans throughout this State would be allowed to carry on their canvass, and that they should not be intimidated, or prevented through intimidation or fear, from voting as they chose to vote at the election; or something to that effect?—A. I do not know that that was stated in detail, but I presume that it would be included in the general idea that the white people were desirous of having good order and peace and quiet in the State; and it was so stated, that we wanted a peaceable election, and a fair one.

Q. Do you know what arrangements were made in Yazoo County in regard to the canvass in that county, and in regard to putting a republican ticket in the field in that county?—A. I know nothing personally, sir, of the affairs in that county. I was not there during the whole canvass.

Q. Were you one of this committee of democratic gentlemen who made this treaty with Governor Ames?—A. Yes, sir; I was.

Q. None of that committee had any official right to enter into such agreement, had they?—A. No, sir; not one of the committee had any official position. I will make this statement: I do not think that at

the first conference Colonel George stated that he was representing the democratic party, or that anybody there stated that they were representing the democratic party. All that was said to Governor Ames was, either directly or indirectly, carrying out the idea that we were representing the citizens.

Q. By citizens you meant the white citizens?—A. Yes, sir. We did; and I know that there were men on that committee, if not all of them, who thought, as I thought then, and continue to think now, that what we were doing was for the interest of the colored citizens as well as the white citizens. It was the interest of everybody in the State that that state of things should end.

NO COLORED CITIZENS REPRESENTED.

Q. Did any of the colored citizens ask you to act in their behalf?—A. They did not. I have not stated that I was a representative of them, but I have stated that what the committee did resulted in their benefit.

Q. That is your opinion about it?—A. Yes, sir.

DO NOT KNOW THAT ANY COLORED CITIZENS CONCURRED IN THE AGRREEMENT.

Q. Do you know of any leading colored citizens who concur with you in that opinion?—A. I do not, sir; I never discussed the matter with any leading colored politician.

MEANS OF THE COMMITTEE TO CARRY OUT THEIR AGREEMENT.

Q. What means did this committee of democratic gentlemen have for carrying out their part of the agreement that was entered in with General Ames?—A. I do not think that it proceeded on the idea that any set means were to be put in operation. Rather, it occurs to me, that the whole thing proceeded on this idea: that if Governor Ames would abandon his warlike attitude, and disband his colored militia, the whole cause of trouble was at an end, and that none of the white people would attempt to act on the aggressive, or to inaugurate a war of races, or a difficulty between the races, after that. The main grievance of the white people was that little local standing army of militia, and if that was removed, we did not anticipate any aggressive movement on the part of the white people.

Q. Then the agreement on the part of Ames was to disband those militia companies, and there was no agreement on the part of the democratic committee; they did not agree to do anything?—A. It is not possible that I put myself in that attitude, is it?

Q. If they agreed to do anything, what did they agree to do; and what means had they of doing what they agreed to do?—A. Colonel George and all the others stated that if Governor Ames would disband the militia that there would not be any further trouble; that that was the main grievance; and he said: "Governor Ames, I will pledge you myself that I would desire peace, order, and a fair election, and everything of that sort in this country, and I believe every other good, solid, white citizen in the State feels that same way; and I will pledge you, sir, that they will act that way."

Q. Who will?—A. The people. He assured him that they would; and he said further, "If there is anybody, any white person anywhere, who desires in any way to produce a difficulty, I will promise you to use all my moral force and all my political influence in the direction of law and order and peace and a fair election."

Q. The idea was, then, that what this committee recommended to the

white citizens of the State, that they would do?—A. I think I have explained as fully as I can, sir, my idea of that thing.

Q. You have given all the explanation you can of it?—A. I have given what I consider a fair explanation of it, according to my understanding of the agreement.

"PEACEABLY IF POSSIBLE, FORCIBLY IF NECESSARY."

By the CHAIRMAN:

Q. I want to call your attention to an article from a newspaper, the Daily Times, of Jackson, of Saturday, August 7, 1875, purporting to be an extract from the Raymond Gazette. It reads in this way:

[Raymond Gazette.]

There are those who think that the leaders of the radical party have carried this system of fraud and falsehood just far enough in Hinds County, and that the time has come when it should be stopped—peaceably if possible, forcibly if necessary. And to this end, it is proposed that whenever a radical pow-wow is to be held, the nearest anti-radical club appoint a committee of ten discreet, intelligent, and reputable citizens—fully identified with the interests of the neighborhood and well known as men of veracity—to attend as representatives of the tax-payers of the neighborhood and the county and true friends of the negroes assembled; and that whenever the radical speakers proceed to mislead the negroes, and open with falsehoods, and deceptions, and misrepresentations, that the committee stop them right then and there, and compel them to tell the truth or quit the stand.

We know of no better way in which the falsehoods and frauds scattered by Ames's emissaries can be successfully met in the presence of the negroes, and we suggest that the practicability of this plan be discussed in the clubs. Really honest men of the radical party, if there be such, cannot object to it. The professional liars and thieves will of course call it "intimidation," "force," and all that. Well, if men will not voluntarily cease telling lies about their neighbors and the people of the country, they ought to be forced to stop it.

Desperate cases require desperate remedies. We have a desperate case on hand: nothing less than the recovery of Hinds County and the State of Mississippi, and all that our people hold dear on earth, from the hands of regularly-organized bands of thieves and robbers and perjured scoundrels. We must use remedies equal to the emergencies of the case if we desire to arrest the disease.

CERTAIN MISSISSIPPI PAPERS AND THEIR UTTERANCES.

Q. Of what political opinion is the Raymond Gazette?—A. A democratic paper.

By Mr. BAYARD:

Q. This is a republican paper that this article is published in?—A. They call it a sore-head republican paper, I believe.

Q. Have you anything to say in reference to this article?—A. None, I believe; except I never heard of that advice being followed in any instance.

Q. What paper is this taken from?—A. The Daily Times, of Jackson. It contains an extract purporting to be from the Hinds County Gazette.

Q. I call your attention to the fact that it is a part of the article only, and that it appears to be so in the paper.—A. I take that to be an extract from the Raymond Gazette.

Q. Did you ever know at any time that any of those recommendations were carried into effect in this State at all upon the part of the democratic party?—A. I never heard of it being acted upon anywhere in the State.

Q. Have you any idea that any such scheme was ever carried into effect at all?—A. I have not. [To the chairman.] If you are personally acquainted with the editor of that paper, the Raymond Gazette, you would not think that he was in earnest.

Q. I will ask you whether you ever knew of that article, whether you are in any way responsible for that article, or whether you ever believed

that article was in any way adopted by your party?—A. I am not responsible for that article.

Q. Do you remember ever to have seen it before?—A. I think I saw it in the Times.

Q. This paper that you see now?—A. Yes, sir; that is my recollection.

Q. Have you any knowledge of it being carried out in any way?—A. I never heard of an instance where that advice had been acted upon.

BELIEF THAT THE NEGROES BEGAN THE RIOT.

By Mr. MACDONALD:

Q. What was the prevailing belief among the white people at Clinton on the Sunday night you got down there as to who commenced that riot?—A. I was told by the white people that I conversed with that night that the negroes had originated it, and it was generally believed in Clinton that night that the negroes had originated and provoked that difficulty, and that they had gone to Clinton for the purpose of having a difficulty; that was the impression among the people there.

ABOUT THE PERSONS KILLED.

Q. What was the belief there as to how Chilton came to be killed in his own door-yard?—A. Public opinion there at that time was that it was wanton and unprovoked.

Q. Was it understood that he had had nothing at all to do with the difficulty down at the ground?—A. I am only speaking of the opinion of the people, which was that he did not participate in the affray, and that he was killed in his own yard; killed wantonly and without any provocation.

Q. Those three persons that were killed in the riot down there, had their bodies or persons been mutilated as you understood?—A. Yes, sir; it was told to me that Sivley's body was mutilated; that he was stripped of his underclothing; that his abdomen was ripped open; that his skull was broken in, and that one or more of his fingers were cut off, and his rings were taken off. Of course I do not swear to the knowledge of that; that was told me.

Q. In what estimation were Chilton and Sivley held by the people of that neighborhood?—A. They were very much liked. Sivley was the son of an old and highly-respected planter, and generally liked, I think. He was regarded as a man of estimable character. Chilton was well liked, well thought of by his neighbors and friends; a young man of fine family.

Q. What was Chilton's character as to peace and order?—A. He had a good character—a most excellent character. I never heard of his getting into difficulty. Sivley's character was also good in every particular, as far as I know, and I have known him all his life—since he was a little boy.

Q. Do you know where their bodies were when you were there on Sunday night?—A. I do not know, sir.

There is another matter that I probably should have stated, in connection with my examination-in-chief, and I presume it would be proper for me to state it now.

The CHAIRMAN. Certainly.

The WITNESS. I went to Clinton on the Sunday evening following this difficulty with a sheriff's posse; I raised a posse for him. There was a rumor in Jackson among the negroes that there were still acts of violence being done in Clinton.

NO OCCASION FOR GOING TO CLINTON.

By Mr. BAYARD:

Q. State who was the sheriff.—A. Mr. Taylor, he was deputy sheriff; he took charge of the posse, at the instance and direction of Harney, who was sheriff, and we went to Clinton and back along the dirt-road, coming in late that night; and the deputy sheriff stated to me—I believe he reported to Ames—that everything was orderly and quiet and peaceable, and that there were no acts of violence, and no armed bodies of men, and no trouble of any kind going on. I had a conversation and an interview with Governor Ames on Sunday night, when I came back here, which I would state to show more the state of feeling here than anything else; but before stating that I will say this: that on Sunday night there was a great deal of apprehension felt by the white people from the negroes. It was generally believed that we were to have trouble here from the negroes; it was generally believed that the negroes in some way were going to get hold of the State arms here. I remember Harney requested me to get him up a posse of men to go to Clinton, and I told him that he could get as many as he wanted in Jackson; told him that I knew he could get fifty. He said, "I don't want but ten or fifteen." To show you my own feeling about it—I did not want to leave Jackson at that time with any men at all unless there were assurances that those State guns were not to be given to the negroes—not to the negro militia company, for there was no negro militia company organized—and was so telling some other gentlemen riding up the street in a carriage just before I left. I can't remember who it was with me at the time. They said, "That is all right; we have seen Governor Ames, and he will not give those guns to the negroes." And I said, "On that assurance I will go on down to Clinton, although there is no occasion for going to Clinton." I was only speaking for myself individually.

GOVERNOR AMES REFUSED TO ARM THE NEGROES.

By the CHAIRMAN:

Q. It was true, was it not, that there were some negroes killed, at or near Clinton, on the morning of the Sunday that you went there in the evening?—A. I have already stated that I was there early Sunday morning. Upon my return from Clinton that night, about 11 or 12 o'clock, I found this state of things in Jackson: I found when I came into town a crowd of men at the State-house, who were guarding the State guns. There were twenty-five or thirty gentlemen there. I asked them what they were doing there, and they said that they were there to guard those guns, and that Captain Packer, an employé or an attaché of Governor Ames, was also in the State-house. I asked, "What are you guarding those guns for?" and they stated that it was because it was currently reported that the negroes were going to make a dash on those guns, and get them.

I went to Governor Ames that night and asked to see him. His servant came to the door and said that the governor had retired, but he would see me, and I was ushered up stairs into his bed-chamber. The governor had his coat off, and I presume had been lying down. He asked me in. I told him my object in coming; that it was to learn what was to be done with those State guns; that I understood there were a great many in the State-house. He said, "There are quite a number of needle-guns in the State-house." I said, "It is generally believed—it may be unjust to you, sir, in every sense, but it is generally believed, and the white people are very apprehensive here,

that these colored people are to be armed with these guns; and I find a guard at the State-house." I said, "Is the guard there with your approval?" and he said, "The guard is at the State-house with my approval. I had been advised of it before they went there, and I sent word to Packer that I approved of that guard being stationed there to-night, to keep, as it was supposed, those negroes from getting those guns." He said, "The negroes have been here besieging me for those guns, and they have," as he said, "clamored for those guns, and they demand to be armed." I said, "I sincerely trust that they won't get them." He says, "No, I would not think of giving them those guns, but they have besieged me and clamored for them." He said, "I think they want them for self-defense."

That was the state of feeling at that time, and I make that statement in answer to a question of Senator Bayard, as to the apprehension of the white persons, immediately after the Clinton riot, and I do not believe that apprehension was fully allayed until the militia was disbanded.

By Mr. CAMERON:

Q. Just at that time, as you went to see Governor Ames, were or were not the negroes from the country coming in here in large numbers?—A. Yes, sir.

By Mr. MCMILLAN:

Q. Frightened?—A. I think that a great many of them were in an opposite condition of mind; some of them were not frightened.

HOW GENERALLY WHITE MEN BORE ARMS.

By Mr. CAMERON:

Q. I ask you whether it is not a fact that a large majority of the white men of this State have private arms?—A. A very large proportion of them have; whether that constitutes a majority or not I cannot say, but I expect as a general thing the white people here have arms; not in the sense of improved army weapons, but shot-guns.

Q. Did not many of them retain their old army guns?—A. I am not advised as to that, sir; but I volunteer the opinion that there were very few, if any, of the old army guns retained. I think there was a general surrender to the Federal Government after the war.

HOW HIS COMPANY WAS ARMED.

Q. How many of your company had arms of that kind when you went to Clinton?—A. I think there may have been from ten to twenty-five that had army guns, but I think that those were some guns that had been issued several years before to a white militia company that had been disbanded, and a few of those guns had been retained by Mr. John Robinson here for the rent of the room, that the company owed him. Those were the guns that I alluded to.

JACKSON, MISS., *June* 12, 1876.

FRANK JOHNSTON recalled.

THE AGREEMENT BETWEEN GOV. AMES AND THE WHITE CITIZENS.

In compliance with request made by Mr. Bayard, and perhaps other members of the committee, I have obtained and now produce a published statement of the conference or meeting with Governor Ames and the committee of white citizens who waited upon him. It is clipped from the Daily Clarion, a newspaper published in the city of Jackson,

State of Mississippi, under date of Nov. 16, 1875. I now hand it to the committee.

The paper was then read, as follows:

THE AGREEMENT BETWEEN GOVERNOR AMES AND A COMMITTEE OF CITIZENS.

October 16, 1875.—At a meeting of the citizens of Hinds and some of the adjoining counties, the following proceedings were had:

On motion, Dr. T. G. Rice was called to the chair, and explained the object of the meeting to be to have a conference with the governor in reference to the militia. Mr. Moore, of Vicksburg, was appointed secretary.

At this point General J. Z. George and others, who had just had an interview with the governor on that subject, appeared in the meeting. General George was requested to state to the meeting the result of the interview.

He then, in presence of all who had made the call with him, stated in substance as follows:

That he had received information that it would be agreeable to his excellency Governor Ames to have a conference with some of the citizens of the State in relation to the present condition of affairs, and in accordance therewith he had arranged for an interview, which had just taken place. The citizens attending were Joshua Green, D. Shelton, E. Richardson, J. W. Robinson, H. Hilzhiem, T. J. Wharton, Frank Johnston, J. C. Rietti, Robert L. Saunders, General Robert Lowry, W. L. Nugent, and himself.

That the interview had been full and frank on the part of the citizens and of the governor; that the governor had announced to the committee that in consequence of Col. A. T. Morgan's refusal to go back to Yazoo County, he had abandoned the purpose of sending him there with two companies of militia, one white and one colored, which had been his original purpose, and that he had also countermanded an order for guns to be shipped to De Soto County.

After this a conference ensued between the citizens and the governor in relation to the disbanding of the militia.

The citizens, in response to fears expressed by the governor that peace and good order would not be preserved and that colored men would not be permitted to vote as they please, assured the governor that there was no other desire among the whites than that peace should be preserved, the laws enforced, and a fair election had; that the leading whites had all along inculcated this; and they also assured the governor that they would pursue this course until the election, and would, both by precept and example, do all in their power to preserve peace and good order and secure a fair election. The governor said his whole object in calling out the militia was to preserve order and suppress disturbances; that he was originally opposed to arming the militia, but was, under all circumstances, as he deemed it, forced to do so; that in view of the statement made by the citizens he was willing to meet their views as far as he could, and to this end he promised that he would order all the militia companies which had been organized to disperse and go to their homes with their arms. But on further consultation it was agreed that the arms of the several companies organized should be deposited in depots in the neighborhood in which the companies were raised, and should there be guarded by United States troops, to be detailed for that purpose, and to be under the control of the governor and to be removed only on his order; or, if United States troops could not be gotten, then the arms were to be guarded by men selected and agreed on by the governor and General George; that the arms would not again be delivered to the militia except in case of riot or insurrection which could not be suppressed by the civil authorities.

The citizens above named expressed themselves satisfied with the arrangement.

After this report and some discussion in the meeting, it was

"*Resolved*, That the foregoing citizens and also the following additional gentlemen, to wit, Messrs. W. A. Montgomery, E. W. Cabinis, T. C. Catchings, George G. Manlove, A. M. Harlow, Colonel Gilruth, Dr. Moore, and Judge Chester, should be requested to go to Governor Ames and tender the thanks of the meeting for what he had done, and represent to him that it would be better and more satisfactory if he would agree that all the arms should be guarded in Jackson."

The committee waited on Governor Ames, and he declined making any change in the arrangement which had been agreed to between him and the citizens. He was asked if the arrangements with the citizens included the idea that no more militia would be organized. He answered, "that nothing was said on that subject expressly, but it was his purpose and intention to organize no more."

The committee retired to the meeting and made report of the second interview, and what was done was deemed satisfactory, and the meeting then adjourned, after requesting the report of the interviewers with the governor be reduced to writing and made public.

T. G. RICE, *Chairman.*

H. H. MOORE, *Secretary.*

The conference, as I stated on Saturday, was, I think, on the 13th of October.

Q. That writing in pencil relates to the date of the newspaper?—A. Yes, sir.

Q. (By Mr. BAYARD.) What was the date of the conference?—A. I think it was October 13. It was a daily paper; comes out as a weekly now. I would like to state this: that my best recollection is, that that is a fair statement of what occurred between Governor Ames and the committee, and my understanding of it at the time was that it was published with Governor Ames's approval and consent, and had been submitted to him. About that point, however, I have no personal knowledge.

HISTORY OF PEACE CONFERENCE.

By the CHAIRMAN:

Q. You do not know of Governor Ames having disavowed it after that?—A. No, sir; I never heard of his disavowing it; I believe it has been kept by him. On Saturday I was asked a general question, which, perhaps, might have called for a statement as to the mode and manner in which this peace-conference came about. Not knowing or not thinking that it was very material, and as I was privately concerned in it, I felt then that it might be regarded as egotistical to have stated the details in connection with that matter. Since then I have concluded it best to state what I have now said, and ask the chairman and gentlemen of the committee if it is desired that I shall make that statement.

HOW THE AGREEMENT WAS BROUGHT ABOUT.

By the CHAIRMAN:

Q. Of the details?—A. As to the manner in which it was brought about.

The CHAIRMAN. Go on, Mr. Johnson, and make your statement.

The WITNESS. On the day before the consultation a conference was actually had. Feeling apprehensive that there would be serious difficulty between the races, it occurred to me to make an effort to bring about a meeting or conference between leading white citizens and Governor Ames, in the hope that some satisfactory solution might be arrived at, or an understanding of the views and feelings of the white citizens might be brought home to Governor Ames. With that view I suggested this idea to Mr. Joshua Green, who concurred in it as being a good suggestion, and I thereupon went, in company with Mr. Green, to Colonel J. Z. George. While conversing with Colonel George, Judge Harvey Ware, the chancellor of the State, and an appointee of Governor Ames, a gentleman whom I presumed was on friendly terms personally and politically with Governor Ames, came up. I stated to him this subject of conversation between ourselves and Governor Ames—and Colonel George, I should have said—and told him I thought it was very desirable that some peaceable solution of this difficulty might be arrived at. I stated to him generally that the white people were in a high state of excitement; that I thought the colored people were in as high a state of excitement, and that in the interest of peace and order and for every consideration of that kind some effort of this sort should be made; that I thought that Governor Ames ought to know the wishes, feelings, and views of the white people of the country, and ought to know it from themselves. He asked me what I could do to carry out that purpose. I suggested to him that I thought probably it would be a good idea to go to Governor Ames, to tell him what had occurred between us at that interview, and, if necessary, to use my name and Mr. Green's, and to

say to him that our object was to prevent a reign of lawlessness, and avert any trouble between the races, and ask him that if he desired to make an effort in that direction to give us an intimation of that kind, and that I was sure that Colonel George, Mr. Green, and myself, and another white gentleman, would be glad to wait on the governor in that spirit. Judge Ware left me, as he said, to call on the governor, and, perhaps, in the space of an hour, would return to Mr. Green's bank; and, upon my entering the bank, I found him in conversation with Mr. Green. Judge Ware then stated to Mr. Green and myself, both, that the governor was very glad to have received the message, and that he would be willing to see Colonel George, Mr. Green, and myself, and any other of the white citizens who desired to call on him. I communicated that fact to Colonel George, and the next morning this deputation, or self-constituted committee, waited on Governor Ames. That, I believe, substantially, is all that I know in regard to the origin or commencement of the negotiation or intercourse between Governor Ames and the white citizens on that subject.

ABOUT MR. CHASE.

By Mr. CAMERON:

Q. Did a man named Chase have anything to do with bringing about this conference?—A. Not to my personal knowledge, but I have been informed that he called on Colonel George, but whether before or after I had this interview with Colonel George and sent the message to Governor Ames I am not sure. My impression is that Colonel Chase, or Mr. Chase, called on Colonel George after my interview with Colonel George.

Q. Have you stated the date of your interview with Colonel George?—A. It was the day preceding the meeting between the citizens and Governor Ames. That would have been the 12th. I perhaps may say that I am strengthened in the impression that it was after, that Colonel Chase called on him, because I think it would be highly probable he would mention that fact in my interview with him.

By Mr. BAYARD:

Q. Do you know who he was, this Mr. Chase who has been referred to; this George K. Chase?—A. I cannot remember his initials. He was a gentleman who purported to represent in some way either the Government of the United States or the Attorney-General, Mr. Pierrepont. I cannot tell you where he lives. I am informed he had been here a good while before I knew he was here. The first time I ever saw him, or knew he was here, was on the day of the conference between Governor Ames and the citizens.

Q. Was he present?—A. Just as that interview opened, after Governor Ames had walked in, and all the gentlemen present had taken their seats, a gentleman walked in and seated himself in a corner of the apartment, on a sofa, and I learned it was Mr. Chase.

Q. Where was the first interview held?—A. At the Governor's mansion, in the front parlor.

Q. You know whether he remained here until after the election?—A. I think he remained, continuously, until after the election. He may have been out of Jackson, but during most of the time in Jackson.

Q. In the State?—A. Yes, sir; and during most of the time in Jackson, I think.

Q. Do you know whether Mr. Chase had frequent, if not daily, conferences with Mr. George on the subject of political events then transpiring in the State of Mississippi?—A. I saw him, probably, with Colonel

George once or twice, but I am unable to state how often he had interviews with him.

Q. Have you knowledge whether he submitted or was in the habit of submitting to Colonel George complaints that reached his ears, asking from Colonel George explanation of them; and whether Colonel George was in the habit of writing or telegraphing for replies and explanations to those various charges, and submitting his answers to Mr. Chase; whether you know that in the general course of affairs between them?—A. My recollection is that Colonel George had mentioned to me, incidentally and casually, the fact that some such complaints were made by Mr. Chase. And I think, too, that Colonel George probably stated to me, without any explantion as to details, generally, that he had been trying to satisfy Mr. Chase, and telegraphing to the points where the complaints originated. My recollection is not very distinct about this, as to the time, nor of the nature of the complaints.

I recollect one instance that Colonel George mentioned. It is the only single one that I can now recollect, though there may have been others. That was about some trouble in Claiborne County. I was told, either by Colonel George or some other person, I don't know whom, but at all events I heard in connection with that, that George did telegraph to Woodville, and I also learned Mr. Chase was satisfied with it, but I am unable to say what the cause of the trouble was down there at this time.

FRANK JOHNSTON'S REPORT AND TESTIMONY.

Campaign document No. 2.—Published and distributed by the democratic-conservative executive committee, 1875.

THE CLINTON RIOT.—A TRUE STATEMENT, SHOWING WHO ORIGINATED IT.—A PREMEDITATED MASSACRE OF THE WHITES.—TESTIMONY OF WHITE AND COLORED WITNESSES, UNDER OATH.

Gen. J. Z. GEORGE,
Chairman Democratic and Conservative Executive Committee:

At your request we have received the statements of many persons who witnessed the disturbance at Clinton on the 4th inst., which we now hand to you. We think the following general history of the matter is fairly sustained by these statements:

An invitation was extended to all persons to attend the republican meeting and barbecue at Clinton. There was to be a joint discussion. Accordingly, perhaps sixty or seventy-five white men went to the grounds. There were from one thousand to twelve hundred negro men present. As many, perhaps, as two or three hundred went there armed with pistols. There were probably twenty or thirty white men with pistols on their persons, not more than fifteen of whom participated in the fighting. Many of the negroes went to Clinton anticipating a fight, and armed for it, and seized, as a pretext for the affray, a quarrel between a white man and a negro.

There is nothing in the evidence to show that there was a drunken man, white or colored, on the grounds.

The inception of the quarrel is enveloped in obscurity. But in the light of the subsequent action of the whites we do not regard the merits of this altercation as important—at all events there was an altercation between a white man and a colored man. The former left the negro, joined a small party of white men, a distance of about one hundred yards from the speaker's stand, followed by the colored man. This party of whites consisted at first of four or five, soon increased to about eleven; was slightly scattered in small groups. Some colored man cried, "A fight!" and called to the colored men to "come on." Immediately orders were given to "rally;" the drums were beaten; the cry of "kill the white men" was raised, and a large mass of negroes, armed with pistols and knives and brandishing clubs, pressed down on the party of whites. The crowd of negroes numbered probably as many as three hundred. The whites, about eleven in number, gave way and retreated about forty yards, along a little branch, asking the negroes to stand back and keep the peace, and saying they desired no difficulty. The negroes in their front pressed on, crying "kill them!" After retreating

this distance another crowd of negroes came down on them, coming from an opposite direction. After the altercation commenced, and before the firing began, the whites made every effort to avoid a fight. About this time, a pistol in the hands of Mr. Thompson (a white man) was discharged accidentally, the ball going in the ground at his feet. A shot was next fired by a colored man, which struck young Mr. Wharton. The firing instantly became general. The whites stopped and fired vigorously. Two negroes were killed on the spot, and four or five wounded, and the crowd in front of the whites retreated. The white men then commenced leaving the ground in small parties. The negroes were rallied by one of their number, who told them not to let the white men escape, and the pursuit began; separate crowds of negroes pursuing in different directions the retreating groups of whites. Sively and Thompson (white) were overtaken, killed, and their bodies mutilated. Chas. Chilton was killed in his own yard. Captain White was captured, shot, stabbed, and beaten, and left for dead. Rice, Wells, Wharton, Robinson, (all white,) and perhaps several others, were wounded.

It was subsequently reported that the negroes threatened to attack the town, and consequently during Saturday night between four and five hundred armed white men were concentrated in Clinton, from Vicksburgh, Jackson, and the county, for the protection of the town.

During Saturday night and Sunday morning, perhaps seven or eight negroes, who were supposed to be leaders in the affray, were killed by the whites, who were indignant at the murder and mutilation of their white friends.

Early Sunday morning most of the white men returned to their homes, a few remaining, at the request of the mayor, during Sunday night as a police force.

By Monday morning, as the mayor of Clinton states, the town and neighborhood were quiet, and peace was restored.

In justice to the memory of Martin Sively, we deem it our duty to state that he had no connection with the commencement of the disturbance. His conduct was beyond reproach. He was an estimable gentleman, and a sober and exemplary citizen. We make this statement to correct an unjust rumor that he was the originator of the difficulty.

E. W. CABINIS.
S. M. SHELTON.
FRANK JOHNSON.

Statement of Walter A. Bracey, (white.)

I reside in Raymond; am a dentist by profession. I came to Clinton last Saturday morning, on the occasion of the republican barbecue; perhaps as many as fifteen white gentlemen from Raymond came to Clinton that day; there was no disposition or intention on the part of any of these gentlemen to disturb the peace, or to interfere with or interrupt in any way any colored men or any republican, so far as I know and believe; I may safely say no such intention existed; the gentlemen from Raymond did not come to Clinton in a body, but separately, and in the usual customary mode, by private conveyances, on horseback, and in buggies; the object was simply to hear the speaking at this barbecue; about 12 o'clock I went out to the ground selected for the barbecue; most if not all the Raymond white men went out to the grounds; a few of the Clinton white men went out to the grounds, and others from the neighborhood; I do not think there were over forty white men on the grounds; I saw part of a negro procession as it came in Clinton; I only remained in Clinton a short time before going out to the place of the meeting, and I did not notice the negroes particularly; I noticed, however, that the negro in charge of this procession had a drawn sword; I am sure there was not an intoxicated white man on the ground during the day, nor did I see an intoxicated negro; there was not a disorderly or turbulent white man on the grounds; my opinion is, not more than fifteen or twenty white men, at most, were armed; there was not a white man armed with a gun on the grounds; several of the Raymond white men were not armed at all. The meeting was held at a grove about three-quarters of a mile in a northwesterly direction from Clinton, about 300 yards from the Upper Vicksburgh road, and between it and the railroad, (V. & M. R. R.) The speakers' stand is about a quarter of a mile from the point where the public road crosses the railroad, and this crossing is between the speakers' stand and the town of Clinton, and pretty nearly on a straight line toward Clinton. A few of the Raymond gentlemen, I think, the two young Whartons, Vink Waddell, and Thompson, and perhaps young Huntly, about ten or fifteen minutes before the fight had been lunching at a wagon. After lunching they walked to their own wagon, about twenty steps distant from where they had lunched. This latter wagon was at a branch in a little bottom near a group of willows, about 100 yards from the speakers' stand. I passed this party a short time—a few minutes—before the fight. They were very near the wagon. Some were seated in chairs and some were standing. They were laughing

and chatting among themselves, and all in a good humor. None of them were intoxicated, and not one of them was in the least disorderly. I am certain of this. I passed them and walked toward the stand and near to it, accompanied by Martin Sivley. Sivley was sober—in fact I know that he did not drink, and has not used any liquor for at least three years. We stood (Sivley and I) near the stand a few minutes, when my attention was attracted by a rush of negroes toward the spot where I left the Raymond party, and by the remarks of the negroes as they moved down, to "come on, we are going to have a fight." The negroes near me commenced drawing pistols and moving in that direction. I was surrounded by negroes, and every one I noticed had a pistol in his hand. Not a shot had then been fired. I heard nothing of what was transpiring down at the branch. I heard several orders given to the negroes to "fall in," or "form ranks, and come on." I then heard the drums, and just after the drums beat a pistol-shot was fired and the firing commenced. Before the shot was fired, however, Sivley and I walked toward the group of willows on the branch. We were enveloped in a crowd of negroes, numbering several hundred, that were rushing toward the spot, and in fact we were borne along by the crowd. I reached the wagon at the group of willows, where I had left the Raymond men before the firing commenced. The Raymond white men whom I had left at the wagon were *not* at the wagon, but they had retreated at least forty steps from the wagon before the crowd of negroes. The negroes—a dense mass, several hundred in number—were crowding close on them, and pushed so close to them that I soon afterward lost sight of them. It was at this point that the first pistol was fired, by whom I do not know. The first shot that I saw fired, which was the second shot I heard, was fired by a negro at young Ramsey Wharton, hitting him in the head. Sivley was with me at the time. Immediately after the first shot a general firing commenced. The negroes continued to rush down to the spot. The negroes then retreated a little on one side of this crowd, but the drums continued to beat, and numbers of negroes cried "come on," and they rallied. There were not exceeding twelve white men on this part of the ground engaged in the fight. I am informed that, in addition to these, several other white men, not more than three or four, whom I did not see, were engaged in the fight. They were broken into little groups a few paces apart, and were being crowded on by the negroes. The white men retreated all the time, defending themselves as well as they could. All the while the white men were giving way before the negroes. I heard them asking for peace and asking the negroes to stop firing on them. The negroes were crying, "Kill them, damn them, kill them." The white men were soon scattered, and those who were not killed made the best of their way from the field. Sivley and I started to leave. We were at first separated by a rush of negroes. We came together again, still retreating, about two hundred yards from where the firing commenced. The negroes were then on us, firing and some striking us with empty pistols. At this point Sivley begged them not to kill him, saying he had not commenced the difficulty. They told him to give up his pistol. He handed his pistol to a negro, holding it by the barrel and presenting the handle. As one negro took the pistol another negro knocked him down with a pistol, breaking the pistol by the blow. Sivley staggered to his feet, and he and I ran off toward a cotton field, negroes pursuing, firing at us, and crying, "Kill them, damn them, kill them." Sivley, as he ran, was bleeding from three wounds. We had gone, perhaps, one hundred yards into the field, when Martin Sivley fell, struck by a negro from behind. I ran on into a little branch, and stopped a moment somewhat concealed. Ten or twelve negroes surrounded him, and I heard them striking him. After that I came on to Clinton. After the firing became general the white men (as I have described them) became separated and I lost sight of them, and cannot say how they left the ground or how they escaped. I saw two negroes dead on the grounds, and four or five others that I supposed to be wounded. I have since ascertained that three white men were killed and about eight wounded, (Charles Chilton is included, who was killed in his own yard, as I have been informed.) I will here state that when I reached the group of willows where I had left the party of Raymond gentlemen, and where the altercation first began, I found that the crowd of armed negroes had crowded them from the spot, and they had retreated about forty paces before the fight began. When I reached the wagon at the group of willows, they were still retreating. There were not more than eleven white men, not all quite together, but a little separated in small groups. As the white men gave back, and before the fighting began, I could hear them (the white men) saying to the negroes to "go back;" that "there was no difficulty," "no fuss," and that they "wanted no difficulty;" and the negroes, many of them, at this time (and before the firing) said, "Kill them, damn them, kill them." At this precise point of time, while the white men were falling back and the negroes pushing on them, I think the negroes at that place and in the crowd that was pushing forward numbered several hundred—certainly more than three hundred. Many of them were armed. I saw numbers with pistols in their hands. I could safely say I saw as many as one hundred. Many negroes had *uplifted sticks*. I could see the sticks above the heads in the crowd. Several had branches of trees in their hands, and one had a pole ten feet long. This was the attitude of the negroes as they crowded on the

white men before the fighting actually commenced. I was not with the largest party of white men I have spoken of, consisting of eleven or twelve, but off twenty paces with Sivley, and I think Mr. Neal was with me. None of us—that is, Sivley, Neal, or I—drew a pistol until the fighting commenced and the negroes attacked us. I had a bullet-hole through my coat before I drew my pistol. I think the negroes had crowded right up on the white men, and had actually closed up against them before the firing commenced. I do not think there were more than fifteen or sixteen white men who participated in the fighting, and, as I have stated, the little groups who were pressed by the negroes, and who were retreating, as I have already described, consisted of about eleven men. In conclusion, I will state that the party of negroes who pursued Sivley and I was led by Charles Caldwell, jr. I saw him (Caldwell) shoot at us several times. I am unable to state how the quarrel at the group of willows began, or the persons who commenced the altercation.

W. A. BRACEY.

Sworn to and subscribed before me the 10th September, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

Statement of Morris Ward, (white democrat.)

I live at Raymond at present. Came to Clinton on last Saturday, September 4. I went out to the barbacue about 12 o'clock. While Fisher (republican) was speaking I was standing on the outskirts of the crowd that was gathered around the speaker's stand; the first thing that attracted my attention was a rush of negroes in the direction of the group of willows where the wagon of some of the Raymond men was standing. I moved down in that direction and got pretty close to this wagon, where I had seen the Raymond boys a short time before. The negroes were running by me, drawing their pistols and pressing down on a small party of white men, about ten to fifteen. This party of white men was scattered in little groups, a few paces between the groups; some of the negroes said, "shoot them;" others said, "kill them." These white men were falling back before the negroes, and the negroes were pressing them. I could hear the white men talking and pleading with the negroes for peace. I heard them say they did not want a fuss. The negroes did not stop at all, but continued to press on. The white men did not turn their backs in retreating, but backed off from the negroes while asking for peace. They retreated because the crowd of negroes pressed on them so closely. The negroes from other parts of the ground continued also to re-enforce this crowd of negroes that were pressing the retreating whites. The drums were beaten; the negroes called to each other to "rally," to "come in and kill the damn whites," and "damn sons of bitches." I saw the negroes close up, *almost touching the whites*, and a large negro in front of the negroes holding a large pistol uplifted in his hand. At this time the whites had retreated about forty yards, and another stream of negroes had approached them from nearly an opposite direction. I would suppose that about three hundred negroes were in the crowd which was pressing the whites. All the negroes I noticed were armed; many had pistols, and those who had no pistols had sticks, and clubs, and knives. I saw them drawing their pistols as they ran down to the spot, and as soon as the first intimation was given that a quarrel was going on they commenced drawing their pistols. About the time that this crowd of negroes were so close to the white men that they could touch them with their hands, a shot was fired; I cannot tell by whom, whether by a white man or negro. In two seconds a general firing commenced. I saw the whites make a stand and fire vigorously; then some of the white men retreated, and most of the negroes retreated; the whites did not follow, but separated and commenced leaving the ground in little groups of two or three; then one negro gave a yell and said, "God damn it, are you going to let these whites off without killing them?" There was one white man still shooting; the negroes then commenced coming back; Captain White (a white man) then said, "boys, stay together or we will be all murdered." I saw Captain White up the hill, in the direction of Clinton; the white men were badly scattered, making their way singly and in twos toward Clinton. The negroes having rallied, came up and divided into crowds that followed in various directions the white men; that is, each white man and every two white men who were together were followed by a separate crowd of negroes; the negroes were still shooting; the white men had quit firing, most of them had no loads in their pistols, and were begging the negroes not to kill them. I could hear the negroes say, "Kill them, God damn them, kill them;" the negro women came up and encouraged the negro men; the whites seemed afraid to run, but were then walking off; soon afterward some of them did run. I left the grounds pursued by the negroes; before I reached the railroad crossing a negro came up with me and pointed a pistol in my face, and another, who called me "Buckley," made him desist; another negro came up and said, "Damn him, kill him; he's a white man;" another negro pursued me with a hatchet, when Dr. West, a white man, passed be-

tween us on a horse, and I then got off to the railroad; I could not see what became of the other white men, the confusion was so great and they were so scattered. When I reached the railroad-crossing I saw ten or twelve negroes on the crossing, some with pistols, who shot at me as I passed some distance from them. I next saw a group of negroes in the railroad below the crossing shooting. I saw another group of about ten negroes in the tan-yard shooting at Mr. Wells, who was passing in a buggy; I avoided this group and came into Clinton. I suppose about fifteen white men participated in the fight, and I think there were about sixty white men on the ground. In conclusion, I will state that just before the firing commenced I said to Charles Caldwell, sr., who was not more than a few steps from the party of white men I have already deseribed, that he must, for God's sake, stop this fuss. I heard him say, "I am trying to stop it." I am sure Caldwell tried his best to stop the difficulty and to keep the peace. I can safely say Caldwell did not participate in the fight, and I think I was in a position to have seen and known it if he had, for I was standing near him. I do not think Caldwell was armed; I certainly saw no arms on him. I was born in Ireland, came to America in 1849; lived in New York about seven years, in Illinois until 1866, and came to Mississippi in 1866. I saw no white men on the grounds with guns; none of the whites had guns; and I saw none of the negroes with guns.

M. WARD.

Sworn to and subscribed before me this September 10th, 1875.

[SEAL.] SILAS J. CAREY, J. P.

The sworn statement of B. S. White.

I live four miles west of Raymond, in Hinds County, Miss. Having heard that there was to be a joint political discussion at Clinton, Miss., on Saturday, the 4th September, 1875, and that the white people were invited to attend, I, in company with several others, attended, reaching the town of Clinton about 11 o'clock a. m. We got to the place of meeting about 12 o'clock m., where we found a large number of negroes and very few whites. After we got there a large procession—said to be from Edwards Depot—came in. After they had all dismounted, Judge Johnston took the stand and commenced speaking. I walked around through the crowd in different directions. I found the negroes very turbulent on every part of the grounds, making threats and declaring they were going to have their way there that day. They frequently rubbed against me, seeming to be trying to provoke a difficulty. Some of the white boys had been drinking. I went to them and told them not to touch any more whisky, saying to them that there was an immense crowd of negroes there and very few whites, and it was manifest to me that the negroes were eager for a difficulty, and they would use any pretext for beginning it; that if a shot cracked it might begin. Just before Judge Johnston finished speaking, I went among a crowd of negroes gathered on the south side of the speaker's stand. I heard one negro say, "Who is that speaking?" Another said, "Johnston, I believe." The first then replied, "I did not come here to hear any such damned stuff as that; I want him to get down from there; I want to hear Fisher speak." Another said, "Well, I reckon he will soon be through, then we will have it all our own way." I went back to where I had left the boys. Two of them were going off down the hill. I called to know where they were going; they said, "We have a bottle of whisky down here." I then made them come back, telling them to remain where they were, near the speaker's stand. Just before Johnston closed, the negroes had become so boisterous and dissatisfied, and seemed so determined to prevent any one from hearing him, that I remarked to a friend that Johnston had better quit, as the negroes seemed so much dissatisfied; that I was sure he was doing no good. They were very restless, walking about and making all kinds of noises, disturbing every portion of the crowd. Pretty soon Johnston closed speaking. Fisher was then called for, who at once responded. Immediately the negroes became quiet and all was still, the negroes saying, "Now we will hear something good." Johnston's speech was very kind and conciliatory; the best speech I ever heard him make to the negroes, so far as I could hear it. Fisher had been speaking some eight minutes when some person in the upper part of the crowd made some remark; I could not hear what it was. Immediately there was a rush of negroes in that direction. I went there and found a young man, who I was told was McNeal. I told him he must make no remarks in that crowd; that the young men from Raymond had agreed to put themselves under my orders, and as he had gotten with them he must do the same thing, and I would have no talking in the crowd. I then returned to where I had left the Raymond boys, near the stand. Pretty soon I noticed a rush of negroes to a bottom about a hundred yards north of the stand; I told the boys to remain and I would go and see about it. I ran down and jumped into a buggy; I saw a large crowd of negroes surrounding two of our boys and trying to get something from them. Neither of these boys was Martin Sivley or Thompson; I left both of these young men at the stand. Thompson was then talking to Captain Lake, of Jackson, and I told Martin Sivley to keep the boys at the stand until I re-

turned. I called out to the crowd to stop that fuss, and to the negroes to let the boys alone. They seemed to heed me, and all would soon have become quiet, but just at this time a negro from about Edwards Depot, wearing yellow epaulets, called out in a loud voice, "We did not come here to let no God damned white trash run over us; this is our day." Just at this time Charles Caldwell, sr., came into the crowd followed by about one hundred negroes. He said, "Stop this damned fuss here; I am going to have it stopped." Pushing his way through the crowd he reached the whites, saying, "Get out of here; get out of here, you damned rascals, and stop this noise." One of the white boys said, "We are interfering with nobody; we do not wish to disturb anybody, nor create any disturbance, but we will not be run over." Just at that time the firing began. I cannot say positively who fired first; but I sincerely believe that the first shot was fired by the negro from Edwards Depot, with yellow epaulets, before spoken of. I was standing in a buggy above the crowd where I commanded a good view of all, and I saw the smoke rise from a pistol in his hands. Just before the pistol fired I heard a drum beat. By the time the firing began the crowd of negroes had become very dense around the boys. As the negroes came they were brandishing their pistols, crying, "Run over the whites; kill the damned whites. Run over them, God damn them; run over them." I think I saw not less than three hundred negroes with pistols in their hands. As soon as the firing began, the negroes commenced falling back rapidly, and in a few minutes the bottom was cleared. Immediately then an immense crowd of negroes came rushing down from the hill firing indiscriminately into their own people. By this time the boys were making for the stand, leaving me alone. I called to them to fall in on me and reserve their fire, as we must get out of there. At this moment a negro ran up to me, crying, "There is one of the damned rascals; kill him." I turned and faced him, telling him to get away, as I did not wish to kill him unless it was necessary. He stopped, and one of the boys asked me to let him shoot him. I told him, "No; do not shoot unless it is necessary." We then moved on toward the prairie, southeast of the stand, I telling the boys to keep closed up and fall in on me. As we got to the edge of the prairie I saw Morris Ward, and called to him to fall in with us, asking him could we not get ten men together, as I had just seen some twenty-five negroes, followed by about two hundred and fifty with pistols, coming across to cut us off, and crying out, "There are the God damned Raymondites; kill them." Some one then said that the whites had exhausted their pistols. I told them to move to the right, and try to cross the railroad; that my son and myself had reserved our fire, and would try to hold them in check until they could escape. The negroes seemed to be especially after Martin Sivley and myself, crying, "Kill them." We turned and faced them, and told them to halt; that we were armed and would defend ourselves; that we wanted no bloodshed. They had begun the fuss themselves, but would not be murdered. They continued to pursue us, firing. When I told them they had begun the difficulty themselves, young Charles Caldwell said, "Yes; and, God damn you, we will end it." We fell back about one hundred yards, trying to reach the railroad-crossing. When we got near the dirt road, I accidentally stepped into a hole and fell. Immediately I was covered by about six negroes, who disarmed me. I rose with them and tore loose from them. Just at that time Martin Sivley jumped the fence, about six or eight negroes being on him, three of whom were Sam. Caldwell, Charles Caldwell, jr., and Walter Wilborne. As soon as I got loose I and my son ran, I then being disarmed. The negroes followed, firing on us, and crying, "Kill the damned scoundrels; catch them, murder them, and quarter them." Just as we reached the railroad-crossing we were cut off by another party, headed by a negro whose name I afterward learned was Wade Walker. They seized us; threw me down on the railroad, stamped me, kicked me, crying, "Kill the damned scoundrel; beat his brains out." After they had stamped me and kicked me, one called for a club and said, "Let me get his brains." They then struck me several times with a club, and picked me up and threw me in a hole, remarking, "Now we have done for you, damn you." My son said, "Do not kill my father." They said, "Yes; we will kill him and you too; but we will take you up on the hill in the woods and cut you up." Their attention was then attracted to another white man, who came on in a buggy, and I managed to crawl out of the hole and conceal myself from them, where I remained for an hour, and finally dragged myself to a house. Now, going back to the beginning of Fisher's speech, I want to say that as soon as Fisher began to speak the crowd of boys from Raymond were surrounded by a crowd of negroes, headed by Eugene Wilborne, Sam. Caldwell, and Chas. Caldwell, jr., when I heard Eugene Wilborne say to another negro, "How far do you reckon the ravens will fly to-day?" The negro said, "They will not fly far. We will clip their wings when they rise." All told, I do not think there were over sixty whites on the ground that day, including men and boys, of whom I am sure not over twenty were armed. I think there were between 1,500 to 2,000 negro men on the ground, besides women and children. I have long been accustomed to see crowds of men, and am certain I am not mistaken in my estimate. Lying in my bed I make this statement under treatment of two physicians. I have been very near death's door, and solemnly swear that every word I have uttered is the truth. The meeting was a republican meeting, and the

invitation for a joint discussion came from them. I also swear that I went to that ground with no expectation of a difficulty. A difficulty was that day expected at Unica, and many white men had gone there to prevent it, where it was expected. That a large number of armed negroes from Hinds, Copiah, and Claiborne Counties were expected to be there. I carried my pistol, it being my habit in going out to carry a pistol. I had no other weapon, nor did I see any white man on the ground with any other weapon than a pistol. I was told that after the fight some citizens from Clinton, and others, came to the grounds with guns, but I was then in such a fix that I could see nothing, my eyes being clotted with blood.

B. S. WHITE.

Sworn to and subscribed before me this 10th day of September, 1875. Sworn to by Capt. B. S. White, and his signature appended by S. M. Shelton, at the request of the said White and in my presence, White being too feeble to sign for himself.

[SEAL.] SILAS J. CAREY, *J. P.*

The sworn statement of A. H. Sivley.

I reside in Raymond, Miss. Martin Sivley was my cousin. I, with P. W. Shearer, his brother-in-law, and Lemon, brought his body off the field on the afternoon of September 4, 1875, after the difficulty at Clinton that day. We found his body in a cotton-field, some quarter of a mile east of the scene of the difficulty, lying on his back, with all the top of his head mashed in, with several wounds from pistol-shots about the body, his abdomen ripped open with a knife, and his intestines protruding. There were also several other bruises, made by blows from clubs or some heavy instrument, about the body and face. A considerable piece of flesh was torn from his finger where his ring had been pulled off. His shoes were gone and his clothing torn all to pieces, he being nearly stripped naked. I also assisted in the recovery of the body of F. T. T. Thompson, also killed on the 4th day of September. We found his body about a mile and a half from the scene of the difficulty, in a westerly direction. The body was lying on the back, with a pistol-shot in the thigh, and another just over the left eye, and his skull mashed in over the left eye, apparently with some heavy edged instrument. Skull seemed to have been mashed and then shot, the flesh around the wound being powder-burnt, and gash in the neck, apparently made with a knife. I have been told by others that his watch and the contents of his pockets were taken from him.

A. H. SIVLEY.

Sworn to and subscribed before me on this the 10th day of September, 1875.

[L. S.] SILAS J. CAREY, *J. P.*

Sworn statement of Hubbard Strange.

I am a citizen of Hinds County; a colored man, and a republican. I am about 40 years old. I came in procession with the Raymond colored republican club to the barbecue at Clinton, on last Saturday, September 4; was near the speaker's stand; heard Judge Johnston's speech as best I could for the confusion and dissatisfied talking at hearing him. Captain Fisher took the stand after Judge Johnston had finished, and I heard some one say, "Now, damn you, don't tell any lies." This man was Mr. John Neal. Some negro replied to this remark of Neal's in a quarrelsome tone, and some white man came up to Mr. Neal and started off with Mr. Neal, and the negro man, who was quarrelling at Mr. Neal, followed them. I started after them, and they went down in the direction of where the fight occurred. As I followed on I met Martin Sivley and young Waddell, and the latter said to me, "Hubbard, you are not after a fuss with us;" and Mr. Martin Sivley answered and said, "No, Hubbard is with us, and wants to keep at peace, like me." This negro man commenced hollowing in the rear of us, "Re-enforce, police, re-enforce." I was calling out for peace, and so was Martin Sivley. I turned to him and asked him, "What in the devil are you hollering re-enforce, police, for? If they commence a fight, you will be the first to run;" and he turned back and went off laughing. I continued to follow Mr. Sivley, and this same negro commenced again to hollow, "Re-enforce, police." And then I heard the drum commence to beat rapidly, and the confusion increased, and the crowd gathered densely, moving in the direction Mr. Neal had gone, and the way Mr. Sivley was going. I followed on, trying to get to Martin Sivley and others to try to take care of them. And being on the rise of the hill I could see over the crowd somewhat, and I saw Mr. Frank Thompson, Mr. John Neal, Martin Sivley, Jesse Wharton, and others of the white men together in a crowd, and densely surrounded by a large crowd of negroes, in great confusion. At this time I saw Mr. Frank Thompson draw his pistol and cock it, and holding it

with the muzzle toward the ground it went off. Then the shooting commenced generally, and I turned to run and went about five or ten steps and stopped, and turned and looked on until the crowd of negroes rushed back and give way, and I saw Mr. Thompson run out of the crowd and run and get on a roan horse. I saw Charley Caldwell, sr., for the first time after the fuss commenced, run toward Mr. Thompson, (but he, Caldwell, had no arms,) and call to him with a motion of his hand, and saying, "Here, Mister, you man on that horse, stop there." But Thompson paid no attention to Caldwell and rode off. My attention was then called to Jesse Wharton. I saw a colored man pick up a large limb and strike Jesse over the head, knocking him down, and I run up and told him I had raised that young man and he should not hurt him. The limb broke in two, and he turned off from Jesse. Mr. John Neal, sitting on a wagon-tongue close by and wounded, said to me, "Uncle, save my life, too." I answered, "I will, come to me." I then took them both under my care. This same negro who struck Jesse Wharton said to me, "If you protect their lives I will kill you." I then called to my son Levi, and told him that this negro wanted to kill these white men, and for him to come to my help. My son came, and we carried them and put them in the buggy, and I put my son in to drive; and seeing three negroes following, calling out "Kill the man with the black hair," I walked along behind the buggy to protect Jesse and Mr. Neal. After we got near the big road, some 200 yards from the fighting-ground, I got in and drove the buggy on to Mr. Neal's house. When I got back to the battle-ground the fight was all over.

I think that the majority of the colored people desired peace, and that there would have been no fuss or fight if it had not been for a few bad-disposed negroes, who I blame for the whole difficulty.

his
HUBBARD + STRANGE
mark.

Sworn to and subscribed before me this 10th day of September, 1875.
[L. S.] SILAS J. CAREY, *J. P.*

Statement of G. M. Lewis, (white.)

I am mayor of the town of Clinton. On Saturday, September 4, there was a republican barbecue and mass-meeting at this place. The place where the barbecue was had, and where the meeting was held, is about three-quarters of a mile from the town. For a few days previous it was generally known that there would be a joint discussion. On Saturday morning, about 10 o'clock, the negro clubs from the surrounding country commenced coming into town. A negro club came from Bolton's Depot, numbering about 397; I counted them as accurately as I could. Another club from Edwards, which was larger than the Bolton's club, came into town about 12 o'clock. A large-sized negro was in command of the Edwards club. I have been informed that his name is Scott, and that he is a justice of the peace. As he marched his club into town he halted it near the hotel, and rode forward alone up the street. He was armed with a cavalry saber, which he carried in his hand drawn. Other clubs came into town; and many negroes gathered from the country. I saw in town several other negroes carrying drawn swords; supposed them to be officers of clubs. The Bolton and Edwards negroes came into town mounted and in procession, formed in column of twos. In my judgment, there were about 1,000 or 1,200 negroes in town. After the mounted clubs came in they passed through town, and shortly afterward returned through town going in the direction of the place for the barbecue and meeting. Before the negroes left Clinton for the place of the meeting there were many crowds of them congregated about the streets, and many of them in their manner were boisterous, loud, and disorderly. Heard several negroes say the democratic party was "gone up that day," or words to that effect. There were about fifty white men in town. They had nothing to say to the negroes. They avoided coming in contact with the negroes. The white men were quiet and orderly in their conduct and bearing. About half-past twelve the crowd of negroes had assembled at the barbecue grounds. The negro men numbered about 1,000 or 1,200; there were not exceeding forty or fifty white men on the grounds; I am sure at least ten of that number were not armed; I cannot tell how many were armed; from all I have heard, my opinion is that there were about twenty white men on the grounds armed; I went out to the grounds about half past one; Judge Johnston, (democrat,) was speaking at that time; I heard nothing from Judge Johnston calculated in the least to produce any disorder or lead to a breach of the peace; while Judge Johnston was speaking there was a good deal of laughing and talking among the negroes, apparently intended to keep persons from hearing his speech; I heard one negro say in the crowd, in a tone of voice loud enough to be heard several yards, (but not to be heard as far as the stand,) "Damn it, what do we want to hear a democratic speech for;" and another say in

about the same tone of voice, that the speaker out to be "put out," and not allowed to speak. Many of them were angry because he was allowed to speak at the meeting. There was no disturbance or fight until H. T. Fisher, republican speaker, had spoken a little while, perhaps ten or fifteen minutes, before the fighting commenced. At the time the firing commenced, I, (with Mr. J. H. Dupree,) was lying under a tree about one hundred and fifty yards east of the spot where the firing began, and one hundred and fifty or two hundred yards from the speakers' stand; ten or fifteen minutes before the firing, a negro approached us and asked, in a peremptory way, "Who is speaking?" I replied, "Judge Johnston." The negro said, "Hell, I thought this was a republican meeting and not a damn democrats' meeting." A few moments before the firing began, a negro woman came near me, saying, in a loud tone, "A fight, a fight." The negro men commenced moving rapidly towards the *branch*, where a few white men (three or four) were congregated, about one hundred or one hundred and twenty-five yards from the speakers' stand; several of the negroes said, "Go for them, boys;" and I heard this expression used by a negro: "This is the thing *we have wanted*, boys; kill all the white men." And one negro told another negro to go toward the stand and have the drums beaten, and for them to rally at the drums. The drums were beaten. All this occurred before a shot was fired. As the crowd of negroes rallied by the drums, they commenced moving or surging toward the place where the excitement commenced, (that is, the point about the branch where the few white men had gathered;) a pistol-shot was fired. This was followed in quick succession by two or three other shots, and then a general firing commenced. I walked down toward this point, going around the crowd of negroes, and had just started to walk in that direction when the firing commenced. Where the firing commenced I could see but few whites, probably not over three, and they seemed to be surrounded by negroes. There was probably more white men, but they were scattered and I did not see them. The crowd of negroes on the very spot where the fighting began, at the time the firing commenced, was at least three hundred. I saw a great many negroes with pistols. I am of the opinion at least one hundred. Many negroes who were not armed broke off large limbs or branches from the trees for clubs, saying, of the white people, "God damn 'em, we will mash them in the earth." I heard threats on all sides from the negroes against the whites. I started to leave the ground, but stumbled and fell to the ground; and as I rose from the ground I saw a negro get a pistol from a pair of saddle-bags on his horse, and fire at me. I was shot at repeatedly as I left the place. I went to Clinton without being hurt. When the fight commenced, the white men were not massed in one body, but were scattered about the grounds. The three or four white men who were off at the branch made the largest group I saw. I do not know of my own knowledge the cause of the difficulty, or who fired the first shot. My opinion is that the white people did not desire any riot or trouble, and did not anticipate it; and I think this because of the small number of whites in Clinton and on the grounds; and because so few of those present were armed; and because of the vast number of negroes that were present. The manner and conduct of many of the negroes during the day was overbearing and aggressive. I did not fire a shot during the difficulty. A great many negroes, perhaps all of Edwards and Bolton negroes, after the firing, moved off on the roads leading to the west. I met a squad of negroes between the tan-yard and Clinton, and one negro was urging them to go on and kill all the white men. I am mayor of Clinton. When I reached Clinton it was reported to me that the negroes would mass themselves and come into town to burn the town, and kill all the white people in the town. I immediately telegraphed to Vicksburgh and Jackson for assistance; for aid to protect the town. A body of citizens came from Vicksburgh, about one hundred and twenty-five, and about sixty came from Jackson, to protect the lives and property of the citizens of Clinton from the threatened violence of the negro mob. No attack on the town, however, was made during the night. Several colored men were killed in Clinton during the night. This was not authorized by me, or done by my approval or authority. This was done by unauthorized persons, who supposed that the negroes killed were engaged in the killing of white men on Saturday evening. Several other negroes (exact number not known by me) were killed in the vicinity of Clinton early Sunday morning, by persons not acting under my orders. Early Sunday morning the men from Jackson returned to their home, as did the Vicksburgh men, with the exception of about twenty whom I requested W. H. Andrews, of Vicksburgh, to leave here for the protection of the town, not being fully satisfied that the negroes would not return. By Sunday evening everything was quiet and peaceable, and the excitement caused by the occurrences of Saturday had subsided. Sunday night a deputy sheriff from Jackson, with a large posse, came to Clinton. The deputy sheriff, Colonel W. H. Taylor, expressed himself as satisfied that quiet was restored, and very soon returned to Jackson. Since that time there has not been the least disturbance or breach of the laws in Clinton or its immediate vicinity. On Monday morning business was resumed, and I sent out messengers throughout the neighborhood to inform all the citizens in the vicinity of Clinton that quiet was fully restored, and that there was no cause for alarm. Everything to-day is perfectly peace-

able and quiet in Clinton and vicinity. And to-day, on learning that the sheriff of the county, and probably Governor Ames, were under the impression that some lawlessness prevailed, I sent a dispatch to Jackson, to Sheriff Harney, offering him one hundred men, to act under his orders, in the interest of peace and order in the county. I do not think there are any disturbances in the county; but I was willing, with the hundred men tendered, to do everything possible to restore a feeling of confidence to the mind of every citizen in the county.

G. M. LEWIS.

Sworn to and subscribed before me this 10th day of September, 1875.

[L. S.] SILAS J. CAREY, *J. P.*

Statement of T. A. Wells, (white.)

I live in Clinton. On Saturday, September 4, a republican barbecue was held at this place, about three-quarters of a mile from Clinton. The republicans agreed to divide time with Judge Johnston, a democrat. I went out to the grounds in the morning. Judge Johnston commenced speaking about 1 o'clock. He said nothing in his speech calculated to disturb the peace. H. T. Fisher, a white republican, then commenced speaking, and had spoken about five minutes when the fighting commenced. There were from nine hundred to twelve hundred colored men on the ground, according to my best judgment. I noticed a great many pistols among the negroes that day. I saw an unusual number of negroes with pistols, and I would judge that several hundred of them were armed. I think there were about fifty white men on the grounds. I am personally acquainted with pretty near all of the white men who were present on the grounds that day. From my observation, I should say that about twenty-five white men were armed with pistols. Not a white man on the ground had a gun, so far as I know, or have been informed. I will state as follows in regard to the commencement of the fight: About the time Fisher commenced speaking, and this was fifteen or twenty minutes before the fight, three or four white gentlemen left the stand where the speaking was going on, and walked off about one hundred yards away from the entire crowd, to their wagon, which was by a little branch or rivulet in a low, flat place, near a group of willow trees. I think that Vasser Shearer, Vink Waddel, Mr. Frank Thompson, and perhaps young Mr. Wharton were in this party. None of them were drunk. They were behaving in a quiet, orderly, and peaceable manner, and had been so conducting themselves all day. I passed by this party five or ten minutes before the fighting commenced. These gentlemen had a bottle of liquor out. I did not see them take a drink, but suppose their object in going off the grounds was to take a social drink. I then walked up to the stand, and stood near the stand. Everything was then quiet. Presently I saw many negroes, quite a crowd, moving rapidly toward the small party of gentlemen already spoken of, who were at the branch; not a shot had then been fired. I next heard a negro say, "There is a fight." Mr. John Neal, a white man standing near me, said to the crowd of negroes who were still moving toward the branch, "It is not a fight, it is only a man taking a drink." The negroes paused a moment. Then the negroes said again, "It is a fight," and moved on. Chas. Caldwell, sr., said "Come back" to the negroes, and Fisher said the same thing, but this had no effect on them. I heard a negro man, down at the spot spoken of where the small party of white men were standing, call to the negroes to "Come on." I saw a negro, between me and the party at the branch, trying to form the negroes together, and heard him order them to "Fall into ranks." I do not know his name. I saw another negro on a horse, not far from the stand, and, perhaps, one hundred yards from the branch, call to the negroes, "All you who have no pistols get clubs," or words to that effect. The drums carried to the grounds by the negroes were then beat; I was about thirty yards from the drums; during this time there seemed to be a scuffle going on at the branch where the group of white gentlemen was, already spoken of by me, and there was a good deal of excitement; the negroes rushed down toward this party at the branch; I then heard a pistol shot at the branch, and the firing instantly became general; after the firing commenced many of the negroes ran from the grounds, and others ran toward the place where the fighting was going on; I left the grounds very quickly after the firing commenced, and before it was over; I had no pistol or weapon of any kind, and did not participate in the fight; I then came toward Clinton, and stopped at a tan-yard near the road leading from Clinton to the place where the fighting took place, and about two or three hundred yards from the town; I saw a squad of negroes, three or four, armed with guns, moving from Clinton toward the firing—that is, the place where the fighting was going on; while I stood in the tan-yard, I saw Mr. Calvin Wells, a white man, coming up the road toward Clinton in a buggy; I saw ten or fifteen negroes standing in the flat between the tan-yard and the road, and as Wells passed they fired ten or fifteen shots at him, saying at the time, "There goes a white man, shoot him!"

I think Wells had lost control of his horse at the time he was passing, and I think the horse was running away. I have since been told, and I think the information correct, that Wells had previously been shot in the hand—that is, before this squad of negroes fired at him; these shots did not take effect, for Wells passed on in his buggy to Clinton; the firing was soon over; I then came up to Clinton to the railroad-depot.

THOS. A. WELLS.

STATE OF MISSISSIPPI, *Hinds County:*

Personally appeared before me T. A. Wells, who, being first duly sworn, says that the foregoing statement is true and correct, according to the best of his knowledge and belief.

This September 9th, 1875.

SILAS J. CAREY, *J. P.*,
Justice of Peace in and for Hinds County.

Sworn statement of Henry Jackson, (colored.)

I am a citizen of the neighborhood of Clinton, about nineteen years old; am colored; do not claim to belong to any political party; but am a son of Simon Jackson, former president of the colored republican club of Clinton; on the 4th of September instant, on Saturday, I went to the barbecue ground about 10 o'clock; I was up near the old building on the grounds, about one hundred yards from the speaker's stand, at Mrs. Caldwell's ice-cream stand; about 2 o'clock p. m., as near as I can guess at the time, and I heard some one say there is a fuss on the grounds; I ran down toward where the crowd seemed gathering, and I saw a colored man have a white man by the throat; a big crowd had gathered around this white man, not less than fifty colored men; I could see, being on the hill, distinctly the crowd, the white man and the negro man, Louis Hargrove, who had the white man by the throat; I heard the whites tell Louis two or three times to turn him loose, and he held on till I heard a shot and saw Louis Hargrove fall; I do not know who fired the shot; cannot say that the white man who was being choked fired; the white man asked Louis in a kind tone of voice to turn him loose, as he did not want to pay the fine of $50 for disturbing the peace; I saw some white man firing, but don't know who he was; the first shot I heard was when I saw Louis Hargrove fall; I thought it was time for me to be getting away, and I started as fast as I could for home; I saw Mr. Waddy Rice after he was shot through the hand; there were a great many colored people and very few white on the ground that day

HENRY G. JACKSON.

Sworn to and subscribed to before me this 10th day of September, 1875.

[SEAL.] SILAS J. CAREY, *J. P.*

Statement under oath of Dr. H. T. T. Dupree.

I was on the barbecue grounds, by invitation, to a joint discussion of the issues of the day; I heard Judge Johnston's speech through, and that of Captain Fisher up to the beginning of the disturbance; there was much confusion in the crowd around the stand, and among other defiant remarks I heard made was one of a negro, who said, "What in the hell is the use of our listening to Johnston? haven't the white folks been telling us lies ever since the surrender, and they continue to do so," and from the defiant words and actions I became convinced that they, the negroes, were seeking a pretext for a difficulty; Fisher had been speaking ten or fifteen minutes when I heard some one, about a hundred yards off, halloo very loudly, which I supposed some one drunk, but immediately a large crowd of negroes rushed in that direction crying out for the police, and to arrest them, &c., but quickly this cry was turned into "Kill them," "Kill them;" the crowd continued to gather around the scene, and the further and louder cry of "Kill the damned sons of bitches," and many of the negroes had their pistols in their hands and others drawing their pistols; I could not tell what white men they were after at that time; I kept my stand and saw the dense crowd still gathering; their demoniac cries beggaring all description, for blood and slaughter, increasing, until presently the firing commenced, when the crowd swaying backward revealed to me the fact that they had been surrounding a small squad, eight or ten, of white men; before the firing commenced the negroes beat their drums furiously; among the white men thus surrounded, I saw Captain White, Martin Sivley, Dr. Bracey, Frank Robinson, and Willie Sims coming out; they had their pistols in hand, but I think they were all empty; I started for Clinton, some half mile distant, and fell in with Major Harper and his son, and as we moved on I heard a cry behind us of "Shoot them, kill them, they are the damn sons of bitches who killed our men;" I recognized the same white

men named above, being hotly pursued by a large crowd of negroes; among the crowd of white men I recognized Henry Page, a negro and a republican, trying to protect our white men; these white men were now protesting for peace; I immediately turned and exhorted the negroes to be peaceable, that the law should be resorted to; that they knew the men, and they could be had whenever called for by the law, I would go their security that they should be forthcoming; the negroes answered, "There is no law now, kill them, God damn them, kill them;" the negro who made this reply most loudly was a yellow negro, whom I have since been informed was one of the Caldwell family; by this time these white men were overtaken and partially surrounded by the negroes, and one of the white men (I think Frank Robinson) was knocked down, and Henry Page, the colored man before referred to, took him, Robinson, off the ground and carried him away, being pursued by a large number of other negroes out of this crowd; I took advantage of these negroes following Robinson, and moved on toward town, with the other white men following me; we had gone about one hundred yards, still being menaced by negroes following, but not in such force until Robinson's pursuers again overtook us; they came up again with their cry of "Kill them," and the white men begging for their lives; one or more of them surrendered their pistols to the negroes; among them thus surrendering was Martin Sivley, who handed up his pistol, and immediately another negro struck him over the head (I think the same yellow negro Caldwell, before spoken of) with a pistol, knocking Sivley down and breaking the pistol; Sivley got up and ran, and I think Dr. Bracey with him, hotly pursued by many negroes, this same yellow negro in the crowd; Sivley jumped the fence and ran about one hundred yards in a field, and soon I heard demoniac yells and many shots from toward the direction Sivley ran, and where I think his body was found; I took advantage of the absence of the negroes that ran after Sivley and Bracey, and I moved on toward town, again followed only by Captain White and Willie Sims; I got near to the railroad-crossing, nearly a half mile from where the fighting first commenced; we were still being pursued and menaced by many negroes, and at or near the railroad-crossing, a negro, who I am informed is called Wade Walker, assaulted Captain White, swearing he would kill him anyhow; then I again tried to parley with them, the negroes, again telling them the white men could be had when wanted by the law; this big black negro hesitated for a second, and said, "God damn you, then give me your pistol." Captain White handed him a little pistol; he then demanded my pistol, and I gave it to him; he, the negro, cursed, and I started down the dirt road and White down the railroad, diverging so that I lost sight of him, (White,) but he was again overtaken and beaten and left for dead, as I have since learned. I moved forward again and got near the depot, and hearing shots again looked back and saw a white man (Calvin Wells) coming in his buggy, and saw a negro who had, as I thought, his horse by the bridle, while others from both sides of the road were advancing on him, (Wells,) firing at him; just at this time Captain Montgomery came to Wells's relief with a double-barrel shot-gun, and, firing both barrels, the negroes gave back and the horse bounded forward and was running away, Wells not having the lines, which were down under the horse's feet. Wells hallooed to me to stop his horse, which I did, and he told me that he was wounded, and to get in and take him home. I am satisfied that there were not more than seventy-five white men, and not more than fifteen or twenty were armed, and 1,000 or 1,200 negro men, very many of whom were armed, and many women and children. This was on the 4th September, 1875, in Hinds County.

H. T. T. DUPREE.

Sworn to and subscribed before me this 10th day of September, 1875.

[SEAL.] SILAS J. CAREY, *J. P.*

The sworn statement of D. W. Rice.

I am, and was, on the 4th instant, a clerk in the store of T. G. Rice, merchant, in the town of Clinton, Miss. Under the instructions of my employer, I closed the store about 10 o'clock a. m. on the 4th instant, and went to the meeting then being held about three-quarters of a mile from town, arriving there just before the conclusion of Judge Johnston's speech. I went up to the speakers' stand. Judge Johnston concluded his speech, and Mr. Fisher had been speaking some five minutes, when I saw a negro running from a bottom some one hundred yards from the speakers' stand, who said there was a fight between a white and colored man. A crowd of negroes immediately went down. The same negro again returned, and proclaimed the same thing, saying, in addition, "Come down, boys, come down!" Immediately the whole crowd of negroes ran down to the bottom. I then went down to about twenty-five yards of the crowd, hoping to preserve peace. I saw Simon Jackson (colored) backing Wade Walker (colored) out of the crowd, begging him to keep quiet. Walker was very violent, declaring that he would kill the "damned rascal;" about that time a kettle-drum was beaten rapidly for a minute or so; then I heard a shot fired in the crowd, which was

followed by rapid firing and hallooing. When the firing began, I had changed my position to a point about fifty yards from the crowd, and heard cries in every direction, "Kill every damned white man on the ground;" about this time I was shot myself. Up to the time I was shot, I had been doing all in my power to preserve the peace, and had shown no weapons; I then drew my pistol, there being about me a dozen negroes with pistols in their hands, firing and shouting, "Kill every white man on the ground!" The negroes were infuriated beyond my power to describe; I felt that it was death to a white man to remain on the ground. I made my escape to town as soon as I could, and got ammunition and returned. As I passed the railroad-crossing when I escaped to town, a negro, Wade Walker, was standing there with a pistol in his hand, calling upon the negroes to rally; as I passed him, he fired on me. I am sure there were not over seventy-five white men on the ground when the fight occurred, not over twenty-five of whom were armed.

D. W. RICE.

Sworn to and subscribed before me this 9th of September, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

The sworn statement of H. C. Marshall.

I live near Clinton, Miss. Having been informed that there would be a joint political discussion at Clinton on the 4th of September, I attended the meeting. I stood in about ten feet of the speakers' stand while Judge Johnston was speaking; was surrounded by negroes, among whom were many young negroes, who throughout Johnston's speech were cursing the whites, and, in boisterous tones, contradicting the speaker, making such a noise that I was unable to hear what was said: they frequently rubbed against me, putting their arms upon my shoulders, and by every word and act seeking to insult and provoke me. Being the only white man in the immediate crowd, I kept quiet to avoid a difficulty, if possible; my attention was attracted to the difficulty in the bottom, some hundred yards off, by seeing the crowd rush down; I then tried to go to the place to learn the cause; after I got down, the drum beat; the white boys were then falling back, and the negroes were pressing on them; I could, once in a while, see the boys' heads; the crowd of negroes was very dense around them; soon after the drum beat and the firing began; about the third shot the crowd of negroes scattered some, but rallied again and pressed on the boys; the negroes came from the speakers' stand to the bottom, brandishing their pistols, crying, "Kill the damned rascals!" I could not tell how many white boys there were, as I was soon cut off from them entirely after the firing began, and never did succeed in getting to them where they were; the negroes soon began shooting at me, and I made my escape as soon as I could; I suppose I saw from three hundred to four hundred negroes armed with pistols, and shooting in every direction; I think seventy-five would include all the whites on the ground during the day; I think there were more than 1,500 negro men on the ground, besides women and children; the negroes continued to follow and shoot at me until I crossed the railroad and got nearly to the town.

H. C. MARSHALL.

Sworn to and subscribed before me on this 4th day of September, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

The sworn statement of Washington Slayton (colored.)

I am a colored man, and about twenty-seven years old; am a citizen of Hinds County, where I have lived for ten years or more; I live near Raymond; am a republican, and a member of the Raymond Republican Club. On the 4th of September, 1875, I went to Clinton with my club to attend a republican meeting, where, I was told, there was to be a joint political discussion; the first I saw or knew of the difficulty which occurred that day was in this wise: while Judge Johnston was speaking a colored man created a disturbance in the crowd; immediately a colored man came up and called for a policeman, and told him to go down the hill, as there were some white boys making a fuss; I asked him what he wanted with a policeman, telling him there was no one down there going to start a row; I said to the policeman, "Come back;" that his business was at the stand; "Let us do as the white people did at Raymond, and keep quiet and listen to the speech, and pay no attention to that affair;" he said he was here to arrest any man who did not behave himself; he had heard that the boys had a bottle of whisky down there, and he was going to arrest them; I at once left the stand myself, Charles Caldwell, sen., going at the same time; he got to the white boys and said to the colored people, "Go back, we will 'qualify' these young men directly;" I got in then, and said to the colored people, "For God's sake, do go

back, and start no fuss here;" there was then a large crowd of colored people around us, led by a big colored man crying "re-enforce, police;" the colored people kept coming down the hill; I got a few to stop; before a pistol fired Caldwell said, "God Almighty, people, are you not going to hear me when I speak to you?" the same big black man again cried, "Re-enforce down here, men—God damn it, let us kill the men—don't be fooling with them any longer;" at that time the colored people were between fifteen and twenty feet deep around the whites, who were falling back and the colored people pressing on them; I then broke ranks, got out of there, and jumped my horse and run; I was satisfied there would be a fight, for the negroes around us had out their pistols, and I saw a large crowd of them running down the hill with pistols drawn, and heard as many as twenty crying, "Kill them, kill them damned white folks;" I am a true republican, but I give it as my deliberate judgment that if the colored people had behaved themselves there would have been no fuss; the white people seemed to do all in their power to avoid it; they had kept quiet and respectful all day; I do not believe there were over fifty or sixty whites on the ground; the boys had no pistols out when they were surrounded as before said, except that a boy named Waddill picked up a rock or something, and Mr. Martin Sivley took out his pistol and said to him, "If you do not behave yourself, I will knock you down with my pistol;" Sivley immediately put up his pistol.

his
WASHINGTON + SLAYTON.
mark.

Sworn to and subscribed before me this 10th day of September, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

Statement of Frank Guiol, (white.)

I reside in Clinton; I went out to the grounds where the barbecue and speaking were had on last Saturday; reached the stand while Judge Johnston was speaking: I was near Charley Chilton, about thirty steps from the speakers' stand; about the time that Fisher (republican) commenced speaking. Mr. Chilton said he would go home, and he then left for home; Chilton's residence was about a quarter of a mile from the stand; after Fisher had spoken about five or ten, perhaps fifteen minutes, I noticed some excitement off in the direction of a little branch, about 100 yards distant; a white man and a negro seemed to be disputing; the crowd of negroes commenced to move in that direction; I heard a negro say, "There is a fight," and the same person said, "Go down, boys," to the negroes; then the drums were beaten; there was one drum at the stand, and another in the crowd, thirty or forty steps from the stand; as soon as the cry of a fight was raised, these drums were beaten; the negroes all rallied in a crowd, and rushed down towards the spot where the excitement first commenced, which I have already described; up to this time not a shot had been fired; when the drums were beaten, and the large crowd of negroes had rushed down to this spot, then a shot was fired, and the firing instantly became general; I do not know who fired the first shot; when the drums were beaten, I heard several negroes say, "Rally, boys, rally," and this was before a shot was fired; the negroes near the drums, and where this command was given, were about one hundred yards from the place where I witnessed the altercation, and I do not think it possible that they could have known anything about the merits of the altercation, and beyond the fact that an altercation or dispute was going on between a white man and a negro; as soon as the firing commenced, being unarmed, I started for Clinton; when I reached the hill-top, about 150 or 200 yards from the spot where the fighting began, I met three or four white men who were also unarmed; we proposed to keep together, if possible, and make our way to Clinton; in the excitement we became separated; the next thing I saw was a mulatto man, (I think from Jackson,) stamping on the ground and holding a revolver in each hand; other negroes, quite a crowd, were coming behind him; I seemed to have attracted their attention; I said to the man with the pistols, "For God's sake stop this shooting, and quiet this thing;" he replied by saying, "Stand back," and then fired at me; I continued to retreat as rapidly as possible; at this moment, young Martin Sivley, who had fallen near the top of the hill, struggled to his feet and attempted to escape; this attracted the attention of the negroes in my vicinity: they turned on Sivley and commenced firing on him; I did not remain to see him killed, but availed myself of this opportunity to escape; I have been told that Sivley was killed about 150 or 200 yards from the spot where I last saw him alive, and fleeing for his life; when I reached the railroad crossing, that is where the Upper Vicksburgh dirt-road crosses the V. & M. R. R., about one-fourth of a mile from where the fighting commenced, I saw Wade Walker, a negro, beating a white man who was lying on the ground in a helpless condition; the white man, I have since learned, was Captain White; Wade Walker was beating him with a stick, and held a pistol in one hand; there was a crowd

of negroes around Walker at the time; a son of White, a lad about seventeen, apparently unarmed, was begging the negroes for God's sake not to kill his father, he begged them to kill him but to spare his father; the negroes shouted, "Kill him, kill all the white men," and they knocked him down and beat him; I passed this group as near as ten or twelve steps, and saw this in passing; they seemed to be occupied with Captain White and his son, and did not seem to notice me; I also saw a group of negroes shooting at a white man in a buggy, shouting, "Kill him, stop him;" I have been told that Calvin Wells was the man in the buggy; I reached Clinton safely; there were about 1,200 colored men on the grounds during the meeting; I saw about 40 or 45 white men on the ground; many white men in Clinton did not go out to the speaking; indeed I believe that the greater part of the white men of Clinton did not go to the speaking at all; during the day, in town and on the grounds, the white men were sober, quiet and orderly in their conduct and bearing, and I saw no disposition whatever manifested on their part to create any disturbance, or to interfere in any way with the negroes or republicans.

F. GUIOL.

Sworn to and subscribed before me this September 9th, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

Sworn statement of Silas Thomas, (colored.)

I am a hired farm-laborer, and have lived for several years with Thomas Wells, and worked on his plantation, eight miles south of Edwards Depot, Hinds County, Miss.; have been there and in the neighborhood all the latter part of August and September, up to yesterday, when I came to Raymond; on or about Thursday, the 19th of August, A. D. 1875, a colored man, who said he was from Clinton, Hinds County, came to Haffa's school-house, where the Oak Ridge Republican Club met, and made a speech to that club; I am a member of that club, and was present on that day; the said school-house is about two miles from where I live; in his speech he said he had come down to tell them to come to Clinton on the 4th of September; that Caldwell was going to make a big speech there; that the white folks had said that Caldwell should not speak there, "But we will show them he shall speak there; come prepared for business;" that if we did not hold up our heads on this side of Big Black, we would be just like Vicksburgh was; that he wanted us to come mounted and *prepared*, and Marcus Kelly, president of the club, arose and said, "Gentlemen, you all know what that means, don't you?" We all understood that he meant for us to come armed; said that those who did not have horses must borrow from those who had more than one. The club agreed to come to Clinton, elected their officers, formed two companies—William Jones, captain of one company, and James Richards, captain of the other. Did not see the companies going, but saw some of the men returning; and they told me that the companies did go to Clinton on Saturday, the 4th. Saw them returning home on Sunday morning. The men told me they had been in the fight on Saturday. They said they did not know what it started about. Said white folks trying to run over the black folks, but we showed them better than that.

his
SILAS + THOMAS.
mark.

Sworn to and subscribed before me this 9th day of September, 1875.
SILAS J. CAREY, *J. P.*

Statement of P. H. Hooker.

I was standing in front of the speaker's stand during Judge Johnston's speech, to which very little attention was paid by the negroes and radicals. When Fisher commenced speaking, I changed my position, and in moving met a negro who told me that some loud talking, which was heard, was between a white man and a negro. The loud talk, or quarreling, increased until the drums commenced to beat a rally, when I left my position, and immediately the firing commenced, and it seemed a hundred shots were fired. I then crossed the railroad and halted, when a negro man near by exclaimed, "What are those boys doing?" and commenced to cry out, "Rally, boys; rally, boys." I then started for home, and had gone about a mile from the grounds when young Thompson, who was killed, passed me, riding furiously from the scene. About a half mile further on I passed Thompson. He told me he was badly wounded in the leg. We started on to try to get to Mr. Campbell's. Thompson spoke of no other wounds. We galloped on, and I in front; but when I got to Mr. Campbell's, and looked back for Thompson, I saw nothing of him. When I last saw him he was a mile and a half from the barbecue grounds.

P. H. HOOKER.

Sworn to and subscribed before me this 9th day of December, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

Statement of Ramsey Wharton, jr., as to the difficulty at the republican meeting at Clinton on the 4th of September, 1875.

I cannot state from my present knowledge how this difficulty commenced, as I was standing only a short distance from the speaker's stand, where it was said to have begun. I then noticed a rush among the crowd of negroes towards the wagon in which I, with others, came from Raymond, which was about seventy-five or one hundred yards from the speaker's stand, and went in the same direction. Many of these negroes were shouting, "Go for the Raymond boys! Kill them!" &c. About fifteen or twenty steps from the wagon I overtook Charles Caldwell, sr., colored, when I asked him to try and stop the fuss. He then said, "Gentlemen, for God's sake stand back," or used some such language. I did not then have a pistol in my hand, nor did I exhibit a pistol until after I was shot in my head by a negro man who was only three or four feet from me. At this time I was standing near this wagon from Raymond, and talking to said Caldwell. I did not hear any firing until after the drum was beat, when the firing commenced. I do not know who fired the first shot. I did not exhibit a pistol until after I was wounded, as before stated, and then used it for the protection of my life. After I was shot I was knocked down and stamped by negroes, and I am satisfied I would have been killed by them when on my way to Clinton, after this fighting was over, but for the interposition of Hiram Turner, a colored man, who lives near Raymond, who used his influence with the negroes for the protection of the lives of Vassar Shearer and myself. I am nearly twenty years of age, and a native of Hinds County, Mississippi.

RAMSEY WHARTON.

Sworn to and subscribed before me, a justice of the peace for Hinds County, Mississippi, September 10, 1875.

[SEAL.] J. W. COVINGTON, *J. P.*

Sworn statement of T. G. Rice, a merchant in the town of Clinton, Miss.

I was on the grounds on the 4th instant, where the difficulty occurred. While Mr. Fisher was speaking I heard loud talking in a bottom some one hundred yards from the stand, and saw a great number of negroes running down. I at once went down myself. When I got there I found five or six white boys, among whom were Martin Sivley and Frank Thompson, in front of whom were about a hundred negroes pursuing them, and the boys gradually giving way—going back thirty or forty feet. About this time the "long roll," was beat, when the whole crowd of negroes rushed down, many drawing their pistols before they reached the bottom, and many crying in loud voices, "Come here, men; come here, men." I did not see a single white man come down. I believe that every white man who was engaged in the difficulty were the boys of whom I have spoken. Before a single shot was fired Martin Sivley broke suddenly through the crowd, as if he had escaped from some one who was holding him. Immediately afterward the firing began in the crowd from which he had escaped. When the firing began, the whole mass of negroes were around the boys before spoken of, having pressed them back until the boys were entirely surrounded by negroes on every side, the negroes cursing them and crying, "Shoot them, kill them!" The only shot which I distinctly saw fired was a colored man firing at a white man, who was running, though I heard a great number of shots. When the firing began I was pressed back and the crowd scattered. I could not see the white boys any more. I mounted my horse and rode up to where the dinner-tables were spread, when an old servant of mine came up and begged me for God's sake to leave the grounds, for they would kill me if I remained. It was after the crowd had scattered that I saw a negro following a white man and firing upon him. I showed no arms on the ground. I went down to where the boys were, to try to stop the difficulty, but found it impossible to reach them in consequence of the immense crowd around them. On my way o town I met citizens of the town going out with guns, but heard no firing afterward. I do not think there were over 75 white men, young and old, on the ground that day, most of whom were unarmed. I am certain not over ten white men fired a pistol on the grounds that day. I am certain there were between twelve hundred and fifteen hundred colored men on the ground. I was told by the citizens who went out with guns that they did not fire a shot, because they found all quiet when they got there. I understood from the cries, "Shoot them," "Kill them," that the meaning was, shoot every white man, for immediately a negro reached up to me and put his pistol in my breast, though I had shown no arms. He demanded my arms. I told him I had a pistol, but had not used it, and would not give it up.

T. G. RICE.

Sworn to and subscribed before me on this 9th day of September, 1875.

[L. S.] SILAS J. CAREY,

Justice of the Peace in and for the County of Hinds and State of Mississippi.

Statement of Jesse Wharton in relation to the difficulties at the republican meeting at Clinton, Miss., on the 4th day of September, 1875.

Shortly after H. T. Fisher commenced speaking, I, in company with Mr. V. Waddill, from Raymond, started from near the speakers' stand to go to the wagon in which some young men came from Raymond. On the way we were met by a negro man on horseback, whose manner indicated a purpose either to ride against or over us. Just as he passed Mr. Waddill said, "Watch," or "Look out where you are riding," and showed a disposition to stop; but, fearing this might lead to some difficulty or disturbance, I succeeded in getting him on to this wagon from Raymond. Neither Mr. Waddill nor I at this time exhibited a pistol or any other weapon. Shortly after we (Mr. W. and I) arrived at this wagon I saw a crowd of negroes running from towards the speaker's stand in the direction of this wagon, with pistols in the hands of many of them. Charles Caldwell, sr., colored, was in advance of this crowd. I then advanced towards said Charles Caldwell, sr., when he was about fifteen or twenty steps from this wagon, and asked him what was the matter. He made no reply to this question, as others were talking to him at the same time. I then asked him, said Caldwell, to stop his men, or hold them back, saying, "We did not come here to have a fuss or a row." Said Caldwell then raised his hands and said, "For God's sake, boys, hold on," or used some such language. The crowd of negroes was still pressing on in the direction of this wagon from Raymond, which forced me, by backing before it, beyond the wagon. I then heard the beating on the drum, and immediately after the beating of the drum the firing commenced. I can't say, of my own knowledge, who fired the first pistol or shot. I did not exhibit a pistol until after two or three shots had been fired, nor until after I heard the negroes shout, "Go for the Raymond boys—kill every damned son of a bitch of them," or some such language. After this I used my pistol to protect and defend my life. I was twice knocked down by the negroes, and stamped by them. After I was knocked down and stamped the second time, and when much stunned by the blows, my life was protected by a colored man named Hubbard Strange, who lives near Raymond, who put me in a buggy and took me to Mr. Neal's residence, near Clinton. I cannot state of my own knowledge whether the first shot was fired by a negro or white man. I am twenty-two years of age, and a native of Hinds County, Mississippi.

J. WHARTON.

Sworn to and subscribed before me, a justice of the peace of Hinds County, Mississippi, on this 18th day of September, 1875. Witness my hand and seal.

J. W. COVINGTON, *J. P.* [SEAL.]

STATE OF MISSISSIPPI,
County of Hinds:

Personally appeared before the undersigned, notary public of the city of Jackson, H O. Dixon, who on oath states that on the day of the riot at Clinton he was in Jackson, and arrived at home about 5 o'clock that evening, 4th September; that his home is about 4 miles from Clinton; that he met W. H. Harney, sheriff of Hinds County, on Wednesday after said difficulty, in the city of Jackson, and that in conversation about the difficulty at Clinton, Harney said to him that they (the negroes) seemed determined to have a fuss, and that he tried to quiet them but found it impossible to do so, and that he (Harney) left the grounds, and that the firing commenced shortly after he left.

H. O. DIXON.

Sworn to and subscribed before me this 11th day of September, 1875.

[SEAL.] W. H. H. GREEN,
Notary Public.

Sworn statement of John B. Abou.

I am a merchant in Clinton, and an old citizen of the place. For several days before the republican meeting near Clinton, on the 4th day of September, 1875, I had seen notices announcing that there would be a joint discussion at the meeting. Between 8 and 10 o'clock a. m., on the 4th instant, I closed my store and went home; my house is on one of the main streets of the town; the procession of negroes, said to be the crowd from Edwards Depot, about 250 or 300 strong, mounted, passed my house. I have seen many processions of negroes through this town during the last eight years, but never saw them so boisterous and belligerent in their acts and words before. I observed that nearly all of them were armed with pistols buckled around them. I heard many such expressions like this: "I would like to see a democrat;" "Damn the

democrats;" "What do they call this place?" "We can clean it out by ourselves." So confident was I, after witnessing their conduct and hearing their declarations, that there would be a difficulty, that I did not go to the grounds where the speaking was, and cautioned others to keep away. I think over 50 or 75 whites, young and old, went to the speaking, so far as I know. I saw no arms among the whites; they were quiet and respectful to all; my attention was called to the fight by hearing firing; I ran out of my house and saw the crowd scattering over the field; a white man ran by me asking for arms, saying, "They are murdering our people." I ran to my store and got my gun and remained to defend the town, if it should be attacked.

J. B. ABOU.

Sworn to and subscribed before me this the 9th day of September, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

Sworn statements of S. S. Hubbard, C. W. Grafton, and James W. Lowry.

We all reside in the vicinity of Auburn, Hinds County, all farmers, and were all present at Haffa's school-house, eight days before the Clinton difficulty, at a meeting of the Auburn Republican Club—sometimes called the Oak Ridge Club, and sometimes Spring Ridge Club. After the club adjourned the men constituting the club appointed two men captains to raise two companies—each company to have one hundred men—and then go into election of lieutenants and minor officers, and then to meet other companies at Mount Moriah church, three miles south of Edwards Depot, and form a regiment and elect a colonel, all for the purpose of going to Clinton the 4th September, 1875.

S. S. HUBBARD,
C. W. GRAFTON,
J. W. LOWRY, *Rep.*

Sworn to and subscribed before me this 10th September, A. D. 1875.
[SEAL.] J. W. COVINGTON, *J. P.*

STATE OF MISSISSIPPI,
Hinds County:

I, Silas J. Carey, a justice of the peace in and for said county, hereby certify that I was personally present during the taking of the sworn statements of most of the depositions to which my certificates are appended, and believe that the same were taken in a spirit of fairness; that the statements were voluntarily given, and are, from the character of the deponents, worthy of credit. I am a republican, and am not moved by any partisan spirit in giving this certificate, but a desire to do justice.

Given under my hand this 12th day of September, 1875.
[SEAL.] SILAS J. CAREY, *J. P.*

THE NORTHERN PRESS ON THE RADICAL RIOTS IN MISSISSIPPI.

[New York Tribune, (liberal republican.)]

The attempt of Governor Ames to secure military intervention in behalf of his party in the pending important political campaign in Mississippi promises to be a signal failure. All the proceedings following the Clinton riot have served to bring out more clearly the entire incompetency of this man for his present position. And yet with such an Attorney-General as we had a year ago he might have had United States troops now roving over Mississippi at his bidding, making domiciliary visits at midnight and dragging peaceable citizens miles away from homes to stand trial for imaginary offenses. The like was seen in Louisiana and Alabama, it will be remembered, just before the elections of November, 1874. * * * It would be well if the people of Mississippi were to choose a governor as well as a legislature next month.

[Baltimore Sun, (independent.)]

It is impossible not to feel sorry for Governor Ames, of Mississippi, so completely and quietly have both he and his insurrection been suppressed. It is the first time in the history of the South that an "insurrection" has been put down without troops. The abundant caution of the Attorney-General in dealing with the matter has borne fruit, the result being to illustrate the absurdity of the case.

[Philadelphia Times, (independent.)]

Pierrepont may be a better lawyer than Williams, but he can't run an outrage mill. And here are elections coming off, and no troops. It is too bad.

[Cincinnati Commercial, (republican.)]

It would be a wholesome thing for the peace of the State if General Butler could persuade his son-in-law, Governor Ames, of Mississippi, to become his private secretary, or take charge of the clerical business of the office.

[Saint Louis Globe-Democrat, (ultra radical.)]

Governor Ames's assertion, that the interference which he calls for is necessary, is flatly contradicted by the evidence of those who have quite as good a claim upon our trust as he has, and who would not be likely to deny the existence of such necessity if they thought it really existed. There is, however, a very easy test of Governor Ames's sincerity in the matter, and one which it might be well to apply in all such cases. If the governor is unable to maintain his authority; if, with all the prestige of possession, all the influence of patronage, all the organization of power and the support of the law-abiding citizens, he is still unable to command obedience or to enforce the law, then let him step aside and wholly withdraw until the central authority has finally succeeded in doing that which he has failed to do. It can make but little difference to any one but himself when a man who is nominally a governor, but really a cipher, is compelled to realize the existence of that impotence which he has admitted; and the direct relegation of an anarchic State to military subjection would have many advantages.

[New York Times, (republican.)]

Attorney-General Pierrepont seems to reduce Governor Ames's Mississippi "insurrection" to very small dimensions. His advices are that there are no disturbances of any consequence in the State, and his opinion is that such disturbances as exist must be dealt with by the governor in the first instance, and until his power is absolutely exhausted. This is good law and common sense, and is the position with reference to this class of questions which we have repeatedly had occasion to urge on the national administration. The country will receive the expressions of Mr. Pierrepont with entire satisfaction.

Northern republican and independent opinion upon the conduct of Governor Ames.

[From the Philadelphia Press, (republican.)]

The administration of Governor Ames, a carpet-bagger and political adventurer, has done much to disorganize society and teach general contempt for all authority in Mississippi. The disorder is palpably the result of a corrupt and powerless government, that has taught its ignorant negro dependents that they were above the law in a struggle with the whites, and they have made the common mistake of taking the leaders at their word.

[The Chicago Tribune, (republican.)]

The President and the Attorney-General have, in their letters on the appeal of the Governor of Mississippi for Federal troops, plainly indicated that the American people are getting tired of this southern outrage business—this constant appeal to the United States to protect able-bodied men who will do nothing to protect themselves. The United States have made the blacks citizens; they have been endowed with every civil and political right that white men can claim.

[New York Tribune, (republican.)]

There are some white people in Mississippi. There is no evidence except in Governor Ames's excited imagination that they have interfered or intend to interfere with the people whom he is so anxious to protect. The belief is coming to be quite general that except for the constant interference of such men as Governor Ames between the two races, there would be not only no occasion for troops, but no disturbance whatever of their friendly relations. It does not look well for such men to be clamoring for troops whenever an election is at hand which affects their own political fortunes.

We say this in all kindness, and with no disposition to detract one iota from the moral grandeur of Governor Ames's position, when he invokes upon his own head "the odium in all its magnitude." And our advice to the Administration is, to let the odium descend rather than the troops.

[New York Herald, (independent.)]

If the President will only lend Governor Ames United States troops, the governor will take all the responsibility! It is astonishing how ready he is to be responsible.

"Let the odium in all its magnitude descend upon me," he telegraphs; and it is quite remarkable that General Grant and the Attorney-General have been able to resist a so licitation so grandly worded.

Meantime what becomes of Governor Ames's responsibility for his own duties? He is governor of Mississippi; he has shamefully neglected the duties and skirked the responsibilities of that place. During the past summer he was absent from Jackson for several months, and left in his place the ignorant colored lieutenant-governor, who is openly charged with having released criminals for a bribe. Nor is this all. Governor Ames is charged by republicans in Mississippi with favoring and consorting with the most corrupt men in his party, black and white; advancing their political fortunes, favoring their schemes, and making them his political allies. He has done a great deal to make the republicans odious in Mississippi; he has helped to bring to the top in his party ignorant black and low white demagogues, who mislead the poor negroes and persuade them to vote for corrupt men and measures. If to-day there is in Mississippi a deep feeling of resentment against the republican party, this is owing more to Governor Ames's misconduct than to any other cause. If a large number of the white people are alienated from the republican party there, it is because they have been repelled by the robbery and corruption which the republican governor has countenanced.

And now that he has raised the storm, he would like Federal troops to help him to quell it. He has done nothing which a governor ought to do to maintain peace in the State. One of his own party, Ex-Senator Pease, has notified the Attorney-General that good citizens of both parties are obtainable in every county to preserve order. But the governor does not want this. What he wants, and what he needs for his political purposes, is to appear to the negroes to command Federal troops. If he is merely governor, if he relies only on the civil force and on his power as governor, they will desert him. If he can persuade them, however, that he is the confidant and representative of General Grant, that he can have Federal troops at will, then they will flock around him and make him Senator. If the President continues to refuse the use of troops, the governor's power over the negro leaders will be broken. In that case, and not otherwise, there will be a chance for an honest administration and an honest republican party in Mississippi. It is a ring of the worst description which is calling for troops down there.

Executive committee of the democratic-conservative party of the State of Mississippi.

For State at large.—General J. Z. George, chairman, Jackson; J. D. Vertner, esq., Port Gibson, and Hon. H. M. Street, Booneville.

For congressional districts.—First. W. H. H. Tison, Baldwyn; A. T. Roane, Pittsborough. Second. H. H. Chalmers, Hernando; E. C. Walthall, Grenada. Third. Thos. B. Sykes, Aberdeen; John A. Binford, Duck Hill. Fourth. W. A. Percy, Greenville; J. A. P. Campbell, Canton. Fifth. E. Richardson, Jackson; U. M. Young, Vicksburgh. Sixth. J. B. Chrisman, Brookhaven; Roderick Seal, Mississippi City. Marion Smith, Jackson, secretary.

J. A. GALBREATH—HINDS COUNTY.

JACKSON, MISS., *June* 12, 1876.

JOHN A. GALBREATH sworn and examined.

PERSONAL SATEMENT.

By the CHAIRMAN:

Question. State what is your residence and occupation.—Answer. Jackson, Miss. I am manager of the Western Union Telegraph Company.

Q. You were summoned to produce the telegraphic correspondence, if there was any in your charge, between General J. Z. George and any other persons in Mississippi in the months of September, October, and November, 1875.

Messrs. Bayard and McDonald then made objections to the production of these telegrams. (See journal of committee for their remarks, and also those of the chairman and Mr. Cameron.)

RULES OF THE TELEGRAPH COMPANY ABOUT MESSAGES.

By Mr. McDONALD:

Q. Have you consulted the rules and regulations of the Western Union Telegraph Company in regard to circumstances under which agents may produce private dispatches?—A. It has been a rule of our company that wherever a precedent had been established, to obey a summons from a committee or court. Now, it has been well established heretofore that any congressional committee has a right to call for the dispatches that were in the hands of our company.

Q. I am speaking of your printed rules and regulations that are published by the company.—A. Yes, sir.

Q. For the government of its agents?—A. Yes, sir.

Q. Have you consulted them in reference to these telegrams?—A. Yes, sir; I was only explaining what you probably knew, that we always endeavor to withhold our dispatches when they are demanded by a party, except in certain cases where precedents have been established.

Q. I ask whether you had produced the dispatches in accordance with the printed rules of the company in which you are employed, or whether you are producing them under some other assumed authority?—A. Well, I really do not know how to answer that question. We are here in obedience to a lawful summons.

Q. Your printed rules and regulations prohibit the production of your dispatches except to parties to whom or from whom they were sent, unless so ordered by a court of competent jurisdiction?—A. Yes, sir.

Q. Those are your printed rules and regulations as furnished by the company?—A. Yes, sir.

Q. Now my question is, whether you produce these dispatches under or in accordance with those printed rules or by some other authority different and outside of the rules?—A. Well, I may say I produced them under, I may say by, the rules, because—because general directions and instructions to the agents of the company are not to produce dispatches *unless they are called for by a competent tribunal*, a court or committee of the State legislature or Congress, or a Senate committee. We had the same question before the State legislature last winter, and we made the best fight we could, but they decided against us, and we had to yield.

Q. Were you required to produce dispatches by a committee of the State legislature?—A. Yes, sir.

Q. Last winter?—A. Yes, sir.

Q. That was by an order of the legislature itself upon presentation of the facts by the committee to that legislative body, which this committee represented?—A. If you will permit me, there was a committee raised to investigate a certain subject, and they issued a subpœna to me to produce certain telegrams, and in a written reply to the committee I declined to do it, and as a result was hauled up before the house of representatives for contempt, and Mr. Orton, president of the company, said that he could see no way to avoid the production of the dispatches, and we finally produced them.

By Mr. BAYARD:

Q. What case was that?—A. Of Lieutenant-Governor Davis of this State and several others; Governor Ames and Cardozo. A committee to investigate the outrage at Summit.

By Mr. McDONALD:

Q. Still, you produced them, not in strict accordance with the regu-

lations of your company, but in accordance with what you understand has been the usage in regard to legislative investigations?

Mr. McMILLAN. You mean rather legislative *decisions*.

By the CHAIRMAN:

Q. How have you arranged those dispatches?—A. The subpœna directed me to produce all the dispatches sent and received by General George during the months of September, October, and November, 1875. I supposed that the committee only wanted the public dispatches. I construed the subpœna to mean that, and I was so very busy all day and Saturday night hunting up dispatches that I stopped on the 2d day of November of that year, supposing that would cover about the ground the committee wished to go over. I have the dispatches, in the order in which they were received, of September, October, and November. Shall I read them in order?

The CHAIRMAN: Yes, you may read them.

The witness then read the telegrams as follows:

TELEGRAMS TO THE DEMOCRATIC STATE COMMITTEE.

YAZOO CITY, *September* 4, 1875.

General J. Z. GEORGE or MARION SMITH:

Are troops to be sent here? What sort, and when? Everything quiet.

J. C. PREWITT.

JACKSON, MISS., *September* 4, 1875.

To J. C. PREWITT, *Yazoo City*:

Don't think troops of any sort will be sent.

J. Z. GEORGE.

JACKSON, *September* 6, 1875.

S. M. SHELTON, *Clinton, Miss.*:

Dr. Kells will answer as to Bell. Be prudent in all you do. Allow no advantage to the enemy. Use as much forbearance as possible. The Federal authority will be invoked against you.

J. Z. GEORGE.

CLINTON, *September* 6, 1875.

General J. Z. GEORGE:

There can be no peace in Hinds County while the radical leaders are at large. We are fully prepared to meet the issue, and accept no term which do not embrace the surrender or removal of those leaders from the county. We do not recognize the Ames government, but will have no conflict with the Federal authorities.

S. M. SHELTON,
For the Executive Committee of the County.

CLINTON, MISS., *September* 6, 1875.

General J. Z. GEORGE:

Committee of ten here to escort W. H. Bell to Raymond to open registration; his safety is pledged. Will he come, and when? Answer at once.

S. M. SHELTON,
Chairman.

CLINTON, *September* 6, 1875.

General GEORGE, *Chairman Executive Committee*:

All quiet here; sent out couriers guaranteeing peace and protection to all negroes who want it.

G. M. LEWIS,
Mayor.

To C. D. GILLESPIE and ROBERT WITHERS, *Bolton, Miss.:*

Has peace been restored fully? If not, use every effort to secure that result. Give protection to all peaceable persons.

J. Z. GEORGE.

BOLTON, *September* 7, 1875.

J. Z. GEORGE:

We have committee of white and black in country to restore peace.

C. S. NORTH.

HAZLEHURST, MISS., *September* 8, 1875.

J. Z. GEORGE or GEO. L. POTTER:

Bondurant is to get injunction from Bailey and order to sheriff here to seize registration-books and deliver them to him as president of board registrars. That is his business in Jackson.

H. B. MAYES.

JACKSON, *September* 8, 1875.

TIM E. COOPER or H. B. MAYES, *Hazlehurst:*

Colonel Taylor, of Alabama, a distinguished orator, will speak in your town on Thursday. Get him a good audience.

J. Z. GEORGE,
Chairman, &c.

HAZLEHURST, MISS., *September* 8, 1875.

General J. Z. GEORGE:

Notice too short. If you mean to-morrow, answer.

TIM E. COOPER.

TIM COOPER, *Hazlehurst, Miss.:*

I mean to-morrow; can't make another day.

J. Z. GEORGE.

HAZLEHURST, MISS., *September* 8, 1875.

J. Z. GEORGE or GEO. L. POTTER:

Brother of Matthews and Bondurant in Jackson. Look out.

H. B. MAYES.

JACKSON, *September* 8, 1875.

E. W. CABINIS, *Clinton, Miss.:*

At my request Frank Johnston will go to Clinton to-morrow morning to co-operate with you and Shelton. Have witnesses ready.

J. Z. GEORGE.

YAZOO CITY, *September* 9, 1875.

General J. Z. GEORGE:

The governer is misinformed as to affairs here. Civil government is not overthrown, and no opposition offered to it. No military organization in this town, only a hastily-organized citizen force to repeal an invasion which was threatened from surrounding plantations, and which would have occurred without it. These citizens have not interfered with or molested any one, and do not propose to. They are acting solely in the interest of peace, and to insure safety to their homes. Citizens of both political parties compose the force.

GARNETT ANDREWS.
W. S. EPPERSON.
C. V. GROINER.
E. SCHAEFER.
S. BARKSDALE.
I. N. GILNETH.

To Hon. EDWARDS PIERREPONT,
Attorney-General United States, Washington, D. C.:

There are no disturbances in this State now, and no obstructions to the execution of the laws. There has been an unexpected conflict at a political meeting, and some subsequent disturbances, but everything is quiet now. The governor's call for United States troops does not even pretend there is any insurrection against the State government, as required by the revision of United States Statutes of 1875, p. 1034. Peace prevails throughout the State, and the employment of United States troops would but increase the distrust of the people in the good faith of the present State government.

J. Z. GEORGE,
Chairman Democratic Executive State Committee.

ABERDEEN, MISS., *September* 10, 1875.

General J. Z. GEORGE:

We see from telegram that Governor Ames has called on you to assist him in keeping the peace in the State. In furtherance in such purpose we tender him through you the services of one hundred good men from this county.

E. O. SYKES.
S. J. GHOLSON.
B. R. HOWARD.
L. E. HOUSTON.

SEPTEMBER 10, 1875.

To Messrs. GHOLSON, SYKES and others, *Aberdeen:*

I have made the offer, though it is an error that I have been called on to assist in preserving peace.

J. Z. GEORGE.

SEPTEMBER 11, 1875.

To Hon. EDWARDS PIERREPONT,
Attorney-General United States:

I am prepared to prove to your satisfaction that Sheriff Harney was under no duress whatever when he sent his first dispatch to you, and that the contents of that dispatch are true. Offers are freely made to the governor of assistance to preserve the peace should danger of disturbance occur. The people of Mississippi claim the right of American citizens to be heard before they are condemned. I re-assert that perfect peace prevails throughout the State, and there is no danger of disturbance unless initiated by the State authorities, which I hope they will not do.

J. Z. GEORGE,
Chairman Democratic and Conservative State Executive Committee.

EDWARDS, MISS., *September* 11, 1875.

General J. Z. GEORGE:

Harney's telegram of recantation in Pilot to-day is false. I was the only white man present and unarmed, and thirty or forty blacks present when he signed the first telegram. He did it freely and voluntarily after I had told him he would be protected in not signing it if he could not do so conscientiously, and I assured him I was ready with any number of men to execute any process for him, and not one word was said to Harney as to injury to himself or property.

W. A. MONTGOMERY.

NATCHEZ, MISS., *September* 12, 1875.

General J. Z. GEORGE:

The undersigned have tendered Governor Ames, by telegraph, one hundred and twenty-five men armed with revolving rifles to suppress any insurrection in the State, only asking that State furnish rations and transportation.

WILL. T. MARTIN.
GEO. W. KOONTZ.
J. FLOYD KING.
PAUL A. BOTTO.

HOLLY SPRINGS, MISS., *September* 13, 1875.

General J. Z. GEORGE,
Chairman:

You are authorized to say to the governor that should any disturbance occur in Mississippi, one hundred, or more if desired, of the best citizens of this county, composed of both political parties, are ready to obey his call to preserve order.

H. W. WALTER,
For Citizens.

BOLTON, MISS., *September* 14, 1875.

General J. Z. GEORGE:

The executive committee, Hinds County, suggest that you telegraph W. A. Montgomery's letter in to-day's Herald to Washington at once.

W. CALVIN WELLS.

GRENADA, MISS., *September* 18, 1875.

Col. J. Z. GEORGE,
Chairman:

Taylor, of Panola, and others think we should be represented at Washington to refute the statements of Warner, Howe & Co. If you concur, send Governor Brown and two others, we paying expenses of those not able. Answer.

E. C. WALTHALL.

JACKSON, *September* 19, 1875.

To E. C. WALTHALL, *Grenada, Miss.:*

Will write you about the delegation to Washington.

J. Z. GEORGE.

ABERDEEN, MISS., *September* 20, 1875.

J. Z. GEORGE:

There are sixty stands of arms here with accouterments. Company long since disbanded. Can't you get an order from the governor turning them over to me?

E. O. SYKES.

YAZOO CITY, MISS., *September* 21, 1875.

General J. Z. GEORGE:

Give latest developments about militia. Is it being organized? Answer.

GARNETT ANDREWS.

SEPTEMBER 22, 1875.

GARNETT ANDREWS, *Yazoo City:*

Their movements are secret. Nothing certain is known. I think they mean mischief. Will write.

J. Z. GEORGE.

SEPTEMBER 22, 1875.

General E. C. WALTHALL, *Grenada:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

H. H. CHALMERS, *Hernando:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

J D. VERTNER, *Port Gibson:*

Attend a meeting of the executive committee Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

U. M. YOUNG, *Vicksburgh:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

JOHN A. BIGFORD, *Duck Hill:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

J. A. P. CAMPBELL, *Canton:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

J. B. CHRISMAN, *Brookhaven:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

H. M. STREET, *Booneville, Miss.:*

Attend meeting of executive committee Friday.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

W. H. H. TISON, *Baldwyn, Miss.:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

SEPTEMBER 22, 1875.

THOMAS B. SYKES, *Aberdeen, Miss.:*

Attend a meeting of the executive committee on Friday morning next. Important business to attend to.

J. Z. GEORGE,
Chairman.

DUCK HILL, MISS., *September* 23, 1875.

General JAMES Z. GEORGE:

No train to-night; will be down on morning train.

JOHN A. BINFORD.

BRANDON, MISS., *September* 23, 1875.

Hon. J. Z. GEORGE:

Come on evening train to speak at Pisgah barbecue to-morrow. Answer.

H. S. COLE,
Chairman Executive Committee, Rankin County.

JACKSON, MISS., *September* 23, 1875.

H. S. COLE, *Brandon, Miss.:*

Impossible. Important meeting of the committee to-morrow prevents.

J. Z. GEORGE.

BALDWYN, MISS., *September* 23, 1875.

J. Z. GEORGE, *Chairman:*

SIR: Impossible to attend. Anything you do will be right.

W. H. H. TISON.

GRENADA, MISS.

J. Z. GEORGE:

Chalmers and I will come on noon train.

E. C. WALTHALL.

GRENADA, MISS., *September* 24, 1875.

General J. Z. GEORGE:

Can you get me H. R. Pease's speech in senate and G. E. Harris's letter on reforms in republican party? Send by General Walthall.

W. R. BARKSDALE.

JACKSON, MISS., *September* 24, 1875.

Hon. EDWARDS PIERREPONT,
Attorney-General, Washington, D. C.:

The secretary of republican State committee having dispatched you that the organization of the State militia had been enjoined by the chairman of democratic State committee, we desire to say that the bill was filed by a tax-payer of this city, and the injunction granted by the chief-justice of the State, who is a republican, on the grounds that money was about to be drawn from the State treasury for military purposes, under the provisions of a statute which is in conflict with the constitution of the State and of the United States. It was only the drawing of the money, and not the organization of the militia which was enjoined. The undersigned, members of democratic State committee, assembled here to-day from every part of the State, take pleasure in assuring you that everywhere throughout the State the most profound peace and good order prevails.

J. Z. GEORGE, *Chm'n.*
H. H. CHALMERS.
E. C. WALTHALL.
J. A. P. CAMPBELL.
T. B. SYKES.
JNO. A. BINFORD.
UPTON M. YOUNG.
J. B. CHRISMAN.
H. M. STREET.

JACKSON, *September* 27, 1875.

Judge H. B. MAYES, *Hazlehurst, Miss.:*

We are considering the matter, and will let you know in time.

J. Z. GEORGE.

SEPTEMBER 27, 1875.

W. J. ADAMS, *Enterprise, Miss.:*

Can give you fifty dollars; am almost bursted.

J. Z. GEORGE.

W. R. KIRBY, *Edwards, Miss.:*

We think here that our friends ought to join the militia.

J. Z. GEORGE.

EDWARDS, MISS., *September* 28, 1875.

General GEORGE:

I have a company here. Some oppose it. Advise me. Answer.

G. D. NIXON, *Captain.*

G. D. NIXON, *Edwards:*

Tender the company by all means.

J. Z. GEORGE.

VICKSBURGH, MISS., *September* 29, 1875.

General J. Z. GEORGE:

The shipment of arms to Allen is a fraud. Inquire through friends in Washington if Government has made any such shipment. Ames is determined to have a conflict.

WM. H. McCARDLE.

VICKSBURGH, MISS., *October* 1, 1875.

General J. Z. GEORGE:

Would it be advisable to organize a militia company—white? Answer.

F. M. ANDREWS.

HAZLEHURST, MISS., *October* 1, 1875.

J. Z. GEORGE:

Chancellor Deason in Jackson; stops at Deason's; have him at your office; I will be there with bill this evening.

H. B. MAYES.

HAZLEHURST, *October* 1, 1875.

J. Z. GEORGE:

Injunction failed; quo warranto held to-morrow; come down to-night and help; all important; can't do without you; will send you to Beauregard in time.

COOPER & MAYES.

OCTOBER 1, 1875.

Messrs. COOPER & MAYES, *Hazlehurst:*

Will be down to-night.

J. Z. GEORGE.

OCTOBER 2, 1875.

F. M. ANDREWS, *Vicksburgh:*

Our friends here deem it advisable to organize white militia companies.

J. Z. GEORGE,
By MARION SMITH.

OCTOBER 4, 1875.

WM. R. BARKSDALE, care EDWARD MAYES, *Oxford:*

Expect papers at Oxford.

J. Z. GEORGE.

GRENADA, MISS., *October* 4, 1875.

Gen. J. Z. GEORGE:

I go to Oxford circuit court to-night. If papers require immediate action here, send to F. E. Peacock, chairman executive committee of county.

W. R. BARKSDALE.

OCTOBER 4, 1875.

WILLIAM R. BARKSDALE, *Grenada:*

Important papers sent you by express this evening.

J. Z. GEORGE.

FRIAR'S POINT, MISS., *October* 5, 1875.

Hon. J. Z. GEORGE:

Sheriff of Coahoma County caused our town to be invaded this morning by an armed mob of negroes; we drove them back, but are now menaced from three directions with others; am acting as deputy coroner; we will restore peace in six hours; no one killed; sheriff has fled county.

H. P. REID.

OXFORD, MISS., *October* 5, 1875.

Gen. J. Z. GEORGE:

Telegram received; no papers came.

W. R. BARKSDALE.

OXFORD, MISS., *October* 7, 1875.

Gen. J. Z. GEORGE:

I received no package; agent says he delivered package personally. Barksdale gone home.

E. MAYES.

VICKSBURGH, MISS., *October* 9, 1875.

J. Z. GEORGE:

The following received this morning: Caldwell's company left here, Jackson, this morning by wagon-road guarding three wagon-loads with ordnance stores destined for Edwards; have you any information as to facts, or any instructions to give? Prompt answer.

U. M. YOUNG.

OCTOBER 9, 1875.

U. M. YOUNG, *Vicksburgh:*

A difficulty should be avoided by all means. The escort is peaceable.

J. Z. GEORGE,
By MARION SMITH.

OCTOBER 7, 1875.

EDWARD MAYES, *Oxford:*

Did you receive and deliver package to Barksdale? What will he do? Answer.

J. Z. GEORGE.

SARDIS, MISS., *October* 7, 1865.

Gen. J. Z. GEORGE:

I am sure it can be done. Important papers sent by express this evening.

W. R. BARKSDALE.

W. R. BARKSDALE, *Oxford, Miss.:*

Have you received the document by express? What can you do with it? Answer.

J. Z. GEORGE.

YAZOO CITY, MISS., *October* 9, 1875.

J. Z. GEORGE, or MARION SMITH:

Where did the militia go that left Jackson to-day?

W. D. GIBBS.

HERNANDO, MISS., *October* 11, 1875.

Hon. J. Z. GEORGE:

Judge Fisher to-day examined the man who shot H. Hillman, on habeas corpus, and discharged him on the ground he acted in self-defense.

F. W. WHITE,
Chairman Democratic Committee.

JACKSON, *October* 11, 1875.

J. M. SUBLETT, *Yazoo City:*

They will come, I think, but Prewett will come home before they get there.

J. Z. GEORGE.

YAZOO CITY, *October* 11, 1875.

Gen. J. Z. GEORGE:

Are the militia coming, and when?

J. M. SUBLETT.

HERNANDO, MISS., *October* 11, 1875.

Hon. J. Z. GEORGE:

H. H. Hillman, chairman of executive committee and candidate for legislature, has gone to Jackson, pretending to be in danger here. He is a witness and prosecutor in a habeas corpus case before Judge Fisher to-day, who met him at Batesville, told him to return and assured him of protection. There is no danger to him or any one, and no threats; everything quiet.

T. W. WHITE,
Chairman Democratic Committee.

VAUGHAN, MISS., *October* 12, 1875.

J. Z. GEORGE:

Inform me here of any militia movement; keep operator in office all night.

P. J. McCORMICK,
Chairman Executive Committee, Yazoo Club.

OCTOBER 12, 1875.

A. J. McCORMICK, *Vaughan Station:*

It is possible that the purpose to send militia to Yazoo will be abandoned. Will keep you advised. Private.

J. Z. GEORGE.

NATCHEZ, MISS., *October* 14, 1875.

J. Z. GEORGE:

Can you send us Hooker or some other speaker Tuesday?

P. A. BOTTO.

HERNANDO, MISS., *October* 13, 1875.

Gen. J. Z. GEORGE:

Yours by express received; the documents therein mentioned have not arrived. When and how were they sent?

WHITE & CHALMERS.

WHITE & CHALMERS, *Hernando:*

They won't be sent at all. See Clarion of yesterday.

J. Z. GEORGE.

PAUL A. BOTTO, *Natchez:*

Don't know; but I will try to send some one.

J. Z. GEORGE.

MERIDIAN, MISS., *October* 18, 1875.

Gen. J. Z. GEORGE, or E. BARKSDALE:

When did Miles stop drawing pay as circuit judge? Answer.

O. R. SINGLETON.

JACKSON, *October* 18, 1875.

O. R. SINGLETON, *Meridian:*

He drew pay as judge up to the 20th March, 1873.

J. Z. GEORGE.

JAMES H. NEVILLE, *Meridian:*

Can't promise certainly; will do the best I can.

J. Z. GEORGE.

MERIDIAN, MISS., *October* 18, 1875.

Gen. J. Z. GEORGE:

I am here making arrangements for excursion train. Railroad charge us $200; large crowd going up; will you send me $50 more to Scooba; Col. Singleton is here; if we get train Kemper is all right. Answer.

JAS. H. NEVILLE.

GRENADA, MISS., *October* 18, 1875.

J. Z. GEORGE:

Will you be at Starkville Wednesday?

E. C. WALTHALL.

SCOOBA, MISS., *October* 19, 1875.

J. Z. GEORGE:

Tremendous crowd will be here. I go to Meridian to-night to conduct excursion train this place. You must come if you can. Send us help if you can, here, to buy provisions. Excursion train from Macon here. Answer at Meridian.

NEVILLE.

GRENADA, MISS., *October* 19, 1875.

J. Z. GEORGE:

I will be there certain.

E. C. WALTHALL.

EGYPT, MISS., *October* 20, 1875.

J. Z. GEORGE, *Chairman:*

White and Harrison, radical members of legislature from Chickasaw County, have recently signed a letter to Ames stating that, as members of the legislature, they are afraid to assemble in Jackson upon the call of the governor. We are informed that the movement in general is another radical trick to get United States troops defeated.

W. F. TUCKER, and
R. O. REYNOLDS.

OCTOBER 21, 1875.

Colonel H. W. WALTER, *Holly Springs, Miss.:*

Impossible for me to be with you. A careful scrutiny of the reports from all parts of the State authorizes me to say that our success is certain. I want you to send me the pledge of every democrat and conservative present with you to say that glorious old Marshall will be carried. Your request will be attended to.

J. Z. GEORGE.

OCTOBER 21, 1875.

J. S. CARSON, *President Democratic Club, Brookhaven:*

General Wharton will speak at Brookhaven to-night. Give him a good crowd.

J. Z. GEORGE,
Chairman, &c.

OKOLONA, MISS., *October* 22, 1875.

General J. Z. GEORGE:

Will write you by evening's mail inclosing certificates of negro members of legislature from this county which will fully explain Tucker and Reynolds's dispatch, and expose a villainous scheme.

J. R. McINTOSH.

OKOLONA, MISS., *October* 22, 1875.

General J. Z. GEORGE:

I sent the papers by the evening's express.

J. R. McINTOSH.

OCTOBER 23, 1875.

T. C. CATCHINGS, *Vicksburgh, Miss.:*

I will see you this evening or to-morrow.

J. Z. GEORGE.

MACON, MISS., *October* 23, 1875.

General J. Z. GEORGE:

Where is Colonel Hooker to-day?

T. J. ROSS.
Secretary County Executive Committee.

OCTOBER 23, 1875.

General E. C. WALTHALL, *Grenada:*

Make Fitzgerald go to Sunflower at once. He is disinclined to go.

J. Z. GEORGE.

YAZOO CITY, *October* 25, 1875.

W. M. Calicote's statement is false. He is an accomplice of Buck Reddit, who murdered a colored man in this county, and fled from justice accompanied by Calicote; therefore it is not a violation of the treaty of peace; ample proof can be furnished if desired.

P. G. McCORMICK.

VICKSBURGH, MISS., *October* 25, 1875.

General J. Z. GEORGE:

Meeting adjourned until to-morrow. I think all fixed against us. McCardle removed from Herald. Had same effect.

BENJ. G. HUMPHREYS.

SARDIS, *October* 24, 1875.

General J. Z. GEORGE:

Ozanne, the radical sheriff, has written to Governor Ames, asking him to send a private agent of the United States to this place on Wednesday next to attend the trial of one of his deputies, charged with tampering with registration; the letter is full of misrepresentations and actual falsehoods, and the demand for the agent is made, in our opinion, solely for campaign purposes; our people have shown great forbearance under exasperating circumstances, and quiet prevails. If you think best you might see Governor Ames, and ask him to do nothing until we can send you a full statement, which we will do by the first mail, together with a copy of Ozanne's letter.

R. H. TAYLOR.
J. G. HALL, JR.
C. B. VANCE.

FAYETTE, MISS., *October* 25, 1875.

General J. Z. GEORGE:

Can't you send a strong man into Franklin County? Outlook dark there from sheer apathy.

N. L. GRICE,
Chairman.

OCTOBER 25, 1875.

. B. CHRISMAN, *Brookhaven:*

No tickets can or will be furnished by the executive committee.

J. Z. GEORGE,
Chairman.

ARTESIA, MISS., *October* 25, 1875.

General J. Z. GEORGE:

Telegraph at once where message will reach Colonel Lamar.

DEMOCRATIC CLUB.

DEMOCRATIC CLUB, *Artesia:*

Speaks at New Albany, Union County, to-day; Ashland, Benton County, 26th.

J. Z. GEORGE,
Per MARION SMITH.

JACKSON, *October* 25, 1875.

T. B. SYKES and R. O. REYNOLDS, *Aberdeen:*

It has been represented to Governor Ames that on the 23d October democrats attended a republican meeting in Monroe, and beat colored men over the head with pistols, and came nigh precipitating a riot; and on the 23d they beat and shot at colored men in Aberdeen. It is also reported that the democrats openly declare that they intend to carry the election by force, and that the county executive committee is at the head of it. Answer in short by telegram, and in full by mail.

J. Z. GEORGE.

ABERDEEN, *October* 25, 1875.

J. Z. GEORGE:

The representations are untrue. There was a slight disturbance on the 22d at joint discussion, caused by republicans who tried to break up the meeting. Nobody was hurt. On the 23d there was a private quarrel between a white and colored man. A democratic negro was beaten by a radical, because of his polical opinions. We intend to carry the election by votes, not by force.

E. O. SYKES.

YAZOO CITY, MISS., *October* 26, 1875.

J. Z. GEORGE and E. BARKSDALE:

It is wholly false that armed men are patrolling the streets and roads of Yazoo, with ropes at their saddles, as charged; it is untrue that Longstreet (colored) has been lost. Jacob Sidney (colored) was killed by Bank Reddit (colored) in a private quarrel about a woman, (colored.) Longstreet was charged as accessory. A warrant was issued, under which he has been arrested; he is now undergoing an examination trial before the justice of his district. Do urge the governor to inquire before adopting the false reports which constantly reach him

W. H. LURE.
F. BARKSDALE.

YAZOO CITY, *October* 26, 1875.

At request of a public meeting of citizens, held here, I sent a long telegram to the governor in reference to the painful occurrence which called the meeting together. Prominent citizens request me to call your attention to this telegram, as it is desired that you may see the governor without delay. The length of the telegram precludes my sending a duplicate. After seeing him, telegraph to me.

A. M. HARLOW.

YAZOO CITY, *October* 26, 1875.

General J. Z. GEORGE:

Charles E. Fawn, deputy sheriff, has been killed in the court-house by Frank Russell, son of J. T. Russell, another deputy sheriff. It was a private and personal affair, in no way connected with politics. The prominent democrats here had just made Fawn's bond for $20,000. The whites have arrested Russell and hold him in custody. Great sorrow and indignation at the deed among our whole people. We had no notice of such intention or purpose, or it would not have been done. Russell is now on trial and will be lodged in jail. You shall have full particulars. Dickson's Guard arrested Russell.

R. S. HUDSON.

OCTOBER 26, 1875.

A. M. HARLOW, *Yazoo City:*

Your telegram to the governor is satisfactory. Everything is lovely now. Keep quiet, observe order, and all will be well. The demonstration to-day was a great success.

J. Z. GEORGE.

JACKSON, *October* 26, 1875.

To Dr. J. P. MCCORMICK, R. S. HUDSON, R. BOWMAN, J. M. SUBLETT, F. BARKSDALE, HENRY DICKSON, W. H. LASE, Colonel ANDREWS, Colonel GILRUTH, A. M. HARLOW, Dr. MOORE, J. C. PREWITT, and others:

Reports are made to official authorities of numerous cases of disorder in Yazoo. Will you authorize us to pledge that peace shall be preserved; that there shall be a peaceable election; and that the republicans shall not be molested in voting for such ticket as they may choose?

E. BARKSDALE.
J. Z. GEORGE.

P. J. MCCORMICK, F. BARKSDALE,
Yazoo City:

It has been reported to the governor that armed men are parading the streets and roads of Yazoo, with ropes at the saddle, and that a colored man, Longstreet, has been lost. What are the facts? If so, get our friends to stop it.

J. Z. GEORGE.
E. BARKSDALE.

MACON, MISS., *October* 27, 1875.

General J. Z. GEORGE:

The rads apply to Judge Hill to-day for supervisors of election. Has he received the list of names recommended by the democratic executive committee of this county?

T. J. ROSS,
Secretary Committee.

ABERDEEN, MISS., *October* 27, 1875.

General J. Z. GEORGE:

The parties named not in town, but we unhesitatingly deny that any such statement was seriously made. No such invasion is contemplated or would be tolerated by us or the executive committee of the county. We are for good order.

T. B. SYKES.
R. O. REYNOLDS.

JACKSON, *October* 27, 1875.

THOMAS B. SYKES and R. O. REYNOLDS,
Aberdeen:

Have D. P. Willis, W. D. Walton, L. Brown, N. W. Hatch, or any other leading democrats in your county, stated that it is to be invaded by 1,500 men from Alabama, who will compel the colored people to vote the democratic ticket or not vote at all? Inquire, and answer immediately. Important.

J. Z. GEORGE,
Chairman Executive Committee.

YAZOO CITY, *October* 28, 1875.

J. Z. GEORGE:

You are authorized to give a pledge that the republicans of this county can put out such ticket as they see fit, and vote unmolested for such candidates as they choose, and such candidates will not be molested in consequence thereof.

A. M. Harlow.	N. N. Wilson.	H. C. Tyler.
J. M. Sublett.	J. A. Barksdale.	Edward Luke.
J. C. Prewitt.	J. M. Clark.	E. H. Kelly.
W. S. Epperson.	H. S. Godberry.	Alex. Moss.
C. V. Gwynn.	G. Andrews.	C. F. Emery.
P. M. Doherty.	Hiram Harrison.	R. Bowman.
P. J. McCormick.	H. M. Dixon.	Peter B. Cook.
F. Barksdale.	J. R. Winn.	W. Y. Godberry.

R. S. Hudson, and many others.

OCTOBER 28, 1875.

To P. J. MCCORMICK and others,
Yazoo City:

Your pledge is satisfactory, and no troops will be sent. Hope you will get through without trouble.

J. Z. GEORGE.

OCTOBER 28, 1875.

To F. BARKSDALE and Dr. MCCORMICK:

The dispatch asking if the republicans would be allowed to vote for such ticket as they pleased was designed to elicit an answer that would prevent United States troops being sent. The answer is not considered enough to effect the object by the Government representative. We think they will be sent at once.

E. BARKSDALE.
J. Z. GEORGE.

OCTOBER 28, 1875

F. BARKSDALE, Dr. MCCORMICK, J. M. SUBLETT, and others,
Yazoo City:

We have seen official evidence from the Attorney-General of the purpose to send troops unless pledge was made as stated, and believe that if troops are sent to Yazoo they will be sent to other counties, and it will be fatal to our cause.

J. Z. GEORGE.
E. BARKSDALE.

OCTOBER 28, 1875.

F. BARKSDALE, Dr. MCCORMICK, J. M. SUBLETT, and others:

Your dispatch is regarded as insufficient in not stating that the republicans can put out a ticket and vote for it unmolested, and that no candidate on it will be injured in consequence thereof by democrats. Answer to-night, and at once. Let all sign the answer, if possible.

WATER VALLEY, MISS., *October* 6, 1875.

General J. Z. GEORGE:

Fisher speaks here to-morrow; Lamar is sick in bed. Send E. Barksdale, or some one who can demolish Fisher to-morrow. We foot all bills.

ROBT. PROPHIT,
President Democratic Club.

JACKSON, *October* 28, 1875.

H. M. STREET, *West Point, Colfax County, Miss.:*

I will do as you request; rely on it implicitly.

J. Z. GEORGE.

VICKSBURGH, *October* 28, 1875.

General GEORGE, *Chairman Executive Committee:*

Can't get back to meet Porter's appointment; send some one out.

HOOKER.

NATCHEZ, MISS., *October* 28, 1875.

General J. Z. GEORGE:

We have some three hundred dollars after paying expenses, but can use more to much advantage. Can your committee furnish us any? Answer.

A. H. BRENHAM,
Chairman Executive Committee.

GOODMAN, MISS., *October* 28, 1875.

J. Z. GEORGE:

Can you send us cannon, good size, for display at Lexington? Want it Friday night. Answer quick.

W. J. TAYLOR,
President Goodman Club.

A. H. BRENHAM, *Natchez, Miss.:*

The fund is exhausted.

J. Z. GEORGE.

OCTOBER 28, 1875.

To W. J. TAYLOR, *Goodman, Miss.:*

We telegraph to N. O. to have cannon sent you, paying transportation both ways. You must provide ammunition.

E. RICHARDSON.
J. Z. GEORGE.

DURANT, MISS., *October* 29, 1875.

Gov. ADELBERT AMES:

I have seen Colonel Taylor, and others who heard him, and he made no such statement.

J. Z. GEORGE.

Judge J. W. C. WATSON, *Canton, Miss.:*

You must go to Water Valley to-morrow. I have sent now to that effect.

J. Z. GEORGE.

JACKSON, *October* 28, 1875.

E. O. SYKES, *Aberdeen, Miss.:*

Your letter is satisfactory. Hurrah for old Monroe. Victory throughout the State is certain.

J. Z. GEORGE.

OCTOBER 28, 1875.

N. B. EVANS, *Aberdeen, Miss.:*

I can't send you a speaker; they are all engaged.

J. Z. GEORGE.

OCTOBER 28, 1875.

ROBERT PROPHIT, *Water Valley, Miss.:*

Will send Judge J. W. C. Watson.

J. Z. GEORGE.

YAZOO CITY, *October* 29, 1875.

General J. Z. GEORGE:

All quiet here, and we are hopeful.

ROBT. BOWMAN.
F. BARKSDALE.

ABERDEEN, MISS, *October* 28, 1875.

General J. Z. GEORGE:

Our orator for Saturday cannot come. Can you send us Walthall, Barksdale, or some good orator?

W. B. EVANS, *Chairman.*

PORT GIBSON, *October* 29, 1875.

J. Z. GEORGE:

Smith was not forced to leave. In consequence of a quarrel between him and a republican registrar, growing out of the action of the latter on the board of registration, and in which Smith's life was threatened by said registrar, he, Smith, after consulting parties of his own selection, who demand it in the interest of peace that he leave for the present, left, in accordance with said friends' advice, on the third day thereafter. Had a collision taken place between them it was thought that it would probably lead to general trouble. It is false that our friends are preventing the negroes from voting by violence or threats. We are simply determined to have an election at which all our friends, white and colored, shall vote without intimidation, let, or hindrance; which privilege the latter class have not heretofore enjoyed in this locality. This is written after consulting the gentlemen whose advice Smith sought.

J. D. VERTNER.

OCTOBER 29, 1875.

To J. D. VERTNER, *Port Gibson, Miss.:*

It is reported here that Senator Smith has been forced to leave, and that our friends are preventing the negroes from voting by violence and threats, in violation of the peace contract. Let me know the facts, and see that a peaceful election is held.

J. Z. GEORGE.

HAZLEHURST, *October* 29, 1875.

General J. Z. GEORGE:

Big crowd to-morrow. No speaker yet arrived. Come to-night if you can, or send us Judge Harris or Mr. Barksdale. Answer.

TIM. E. COOPER.

OXFORD, MISS., *October* 29, 1875.

General J. Z. GEORGE:

We are about two hundred ahead on the new registration. Put Lafayette down for five hundred majority.

W. J. STOWERS,
President Democratic Club.

YAZOO CITY, *October* 30, 1875.

General J. Z. GEORGE AND E. BARKSDALE:

Everything promising here.

F. BARKSDALE.
ROBT. BOWMAN.
J. P. MOORE.

VICKSBURGH, *October* 30, 1875.

General J. Z. GEORGE:

My chances increased 1,000 per cent.

T. C. CATCHINGS.

SCOOBA, MISS., *October* 30, 1875.

General J. Z. GEORGE:

A. J. Davis and Jeff. D. Bell came here with Gilmer, but telling us privately that they were members of capitol democratic club. Davis told negroes yesterday now would be a good time to go for damned white folks. Bell told them to carry the election peaceably or forcibly. A. O. Esquirol holds United States deputy marshal's commission; ascertain from J. L. Lake if forged or genuine. Answer to-night if possible. The two former leave to-night, so they say.

BASIL GEORGE,
Vice-President K. D. Club.

To BASIL GEORGE, *Scooba, Miss.:*

Lake says none of the parties have deputations from him; have explained these matters fully to Mr. Neville.

J. Z. GEORGE.

SCOOBA, MISS., *October* 30, 1875.

General J. Z. GEORGE:

Gilmer reached this place this morning with four United States deputy marshals; say he is going to make arrest for intimidation. Would you advise us to submit to an arrest? No intimidation has been made. Confidential. Answer.

JAS. H. NEVILLE.

SCOOBA, MISS., *October* 30, 1875.

General GEORGE:

Meet me at Jackson to-morrow morning.

J. H. NEVILLE.

OCTOBER 30, 1875.

J. H. NEVILLE, *Scooba:*

No such deputies have been appointed; so says the United States marshal.

J. Z. GEORGE.

PORT GIBSON, *October* 31, 1875.

J. Z. GEORGE:

It having been published that a negro mass-meeting would be held at Port Gibson on 30th, and that there would be an immense procession through our streets, and that radical speakers would instruct the negroes to desert their district polls and mass on our weaker precincts in other districts, and would fire the poor wretches with incendiary speeches, it was deemed prudent, owing to the prevailing election excitement, that a sufficient number of whites come to town that day to prevent such things as might result from drunken negro insolence or other causes, as well as to be advised of said proposed instructions and speeches. The whites were under prudent leadership, and we cautioned them against any individual offensive act or speech in town. The two processions met, and individual quarrels and blows resulted, when the aspect became threatening. Perfect order was soon restored. Negroes were, beyond question, the first to exhibit guns, though many of both colors had side-arms. At barbecue-grounds perfect order prevailed, though no speaking occurred after dinner, of which only negroes partook. We deem it proper to advise you, as all our acts incident to a more vigorous campaign are misrepresented by the party seeking to hold power.

J. D. VERTNER.

MERIDIAN, MISS., *October* 30, 1875.

General J. Z. GEORGE:

It is reported that troops will be sent here; is it so? Prevent it if possible. It will be productive of harm. Everything here quiet. Answer.

JNO. W. SMITH,
Chairman Ex. Com.

OCTOBER 30, 1875.

JOHN W. SMITH, *Meridian, Miss.:*

No truth in report.

J. Z. GEORGE,
Per MARION SMITH.

TIM. E. COOPER, Esq., *Chairman, &c., Hazlehurst:*

Other engagements do not permit us to be with you. Congratulate the assembled thousands that the news is cheering. The democracy will carry the doubtful counties and many of the enemy's strongholds and sweep the State.

E. BARKSDALE.
J. Z. GEORGE.

DURANT, MISS., *October* 30, 1875.

General J. Z. GEORGE:

Everything perfectly quiet. No threats or violence used to any one.

H. S. HOOKER.
JAS. ROWER.

NOVEMBER 3, 1875.

L. A. JONES, *Aberdeen:*

The matter has been determined on. How will it do to recommend that the national thanksgiving day be observed? That is my idea. We won the senate as well as the house by decided majorities.

J. Z. GEORGE.

ABERDEEN, *November* 3, 1875.

General J. Z. GEORGE:

Send majority in each county heard from to this moment.

T. B. SYKES.

BAY SAINT LOUIS, *November* 3, 1875.

J. Z. GEORGE:

Seals' (for Congress) majority in Hancock over Lynch, two hundred and forty-three.

T. J. MURPHY.

NOVEMBER 1, 1875.

Dr. P. J. MCCORMICK, *Yazoo City:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

WEST POINT, MISS., *November* 1.

General J. Z. GEORGE:

Governor Powers writes what is not true. Profound peace prevails in this county; the town is very quiet. Everything will pass off peaceably; not the slightest indication of intimidation.

FRED. BARRY.

WEST POINT, MISS., *November* —.

J. Z. GEORGE:

Will do so. Colfax will come out ahead any them at Columbus. To push senatorial ticket, communicate with W. W. Humphries or General Jake Sharp; I am pushing it favorably here.

J. G. BARRY.

To FRED. BARRY, *West Point, Miss.:*

Governor Powers writes here that our friends are ordering republicans to leave, and are intimidating voters. Preserve the peace, and have a fair election.

J. Z. GEORGE.

NOVEMBER 1, 1875.

To FRED. BARRY, *West Point:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

VICKSBURGH, MISS., *November* 1.

General J. Z. GEORGE:

Will give you full election particulars, as requested.

T. C. CATCHINGS.

NOVEMBER 1, 1875.

To S. C. BAINES, *Vaiden:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

NOVEMBER 1, 1875.

To T. C. CATCHINGS, *Vicksburgh:*

Advise me to-morrow at 12 o'clock and afterward of progress of election.

J. Z. GEORGE.

SCOOBA, MISS., *November* 1.

General J. Z. GEORGE:

Esquirol, Davis, and Bell left on south-bound train last night. Esquirol says he will be back to-night. Do not let them bring any troops here and Kemper will be all right. One of the inspectors of election, a radical, says there is no use of holding an election here, and we think they are going to prevent opening the polls, if possible. What shall we do in such a case? Radicals have given up all hope, and will do anything to prevent holding an election. Answer immediately.

J. H. DUKE.
J. H. NEVILLE.

To JAS. H. NEVILLE and J. H. DUKE, *Scooba, Miss.:*

If any inspector declines to act after you have requested him to do so, then treat him as if he had not appeared, under section 370 of the code, and proceed accordingly. Must, however, have the registration-books, if possible; if not, proceed without them. Close and vote at their polls, if they open any.

J. Z. GEORGE.

NOVEMBER 1, 1875.

To R. H. TAYLOR, *Sardis:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

PORT GIBSON, *November* 1.

J. Z. GEORGE:

Peace reigns here, although there is excitement on each side; negroes angry and talking foolishly, because of facts stated in my last telegram. Whites are under prudent counsel. We are using precautions to insure a peaceable election. If any trouble occurs, which is not at all probable, it will not come from our side. Unger and Bridewell, two of our most disreputable white republicans, are now at Hazlehurst, sending hieroglyphic telegrams to parties here. We will to-day tender our republican sheriff, with whom we are in full accord, full posses for keeping peace. The effort to bring troops, if any, is to intimidate, as many negroes have declared their purpose to vote the democratic ticket.

J. D. VERTNER.

To J. D. VERTNER, *Port Gibson:*

Your telegram received. Tell our people to use every effort to secure a peaceful election and prevent disorder. This must be done, if possible, so far as we are concerned. Faith must be kept on the peace agreement.

J. Z. GEORGE.

To General J. H. SHARPE and other democrats, *Columbus, Miss.:*

Barry telegraphs in Colfax is all right. Says a little extra exertion in Lowndes will . . . . the senate. Do make it. I am sure of a great victory.

J. Z. GEORGE.

To H. S. HOOKER, *Durant, Miss.:*

I can't learn that any one of them are here. Our prospects now are brighter than ever. The latest advices assure victory by tremendous odds. Save Holmes if you can, but preserve the peace.

J. Z. GEORGE.

DURANT, MISS.

J. Z. GEORGE:

I am in Durant awaiting any communication relative to our county. Is Lee, Mills, Warren, or Holmes in your city?

H. S. HOOKER.

To H. H. CHALMERS, *Hernando:*

Save Morgan, if possible. Advices from all parts are better than I ever hoped for. Nothing can prevent our complete success.

J. Z. GEORGE.

To CAMPBELL and CALHOUN, *Canton, Miss.:*

If Warner goes to Madison, see by all means that he is not hurt. We are nearly through now, and are sure to win. Don't let us have any trouble of that sort on our hands. He will probably be at his store to-night.

J. Z. GEORGE.

HERNANDO, *November* 1.

General J. Z. GEORGE:

Yours received, and will be obeyed. I feel confident of carrying this county, and have hopes of election. Senator is safe.

H. H. CHALMERS.

NOVEMBER 1, 1875.

To T. B. SYKES, *Aberdeen:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

NOVEMBER 1, 1875.

To W. K. BARKSDALE, *Grenada:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

NOVEMBER 1, 1875.

To H. H. CHALMERS, *Hernando:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

NOVEMBER 1, 1875.

EDITOR MEMPHIS APPEAL, *Memphis, Tenn.:*

Will send news as we receive it.

J. Z. GEORGE,
Per MARION SMITH, *Secretary.*

NOVEMBER 1, 1875.

I. R. MCINTOSH, *Okolona:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

NOVEMBER 1, 1875.

H. H. WALTER, *Holly Springs:*

Advise me at 12 o'clock to-morrow and afterward of progress of election.

J. Z. GEORGE.

NOVEMBER 3, 1875.

S. A. JONES, *Aberdeen:*

The matter had been determined on. How will it do to recommend that the national Thanksgiving Day be observed. That is my idea. We have the senate as well as the house by decided majorities.

J. Z. GEORGE.

ABERDEEN, *November* 2, 1875.

J. Z. GEORGE:

Twelve o'clock. Set Monroe down five hundred democratic majority. All quiet.

T. B. SYKES.

ABERDEEN, *November* 2, 1875.

J. Z. GEORGE:

Monroe gives the democratic one thousand majority.

T. B. SYKES.

JACKSON, *November* 2, 1875.

To R. H. ALLEN, *Baldwin:*

Yazoo four thousand democratic majority. Hinds and Monroe one thousand each. Marshall and De Soto democratic. Both branches legislature secured. Hooker, Singleton, and Money supposed elected.

J. Z. GEORGE.

BALDWIN, *November* 2, 1875.

General J. Z. GEORGE:

Telegraph us all the information you have about State in aggregate, at our expense.

R. H. ALLEN.

BALDWIN, *November* 2, 1875.

General J. Z. GEORGE:

Democratic vote six forty-eight. Radical two.

R. H. ALLEN.

BOLTON, *November* 2, 1875.

General J. Z. GEORGE:

Voting over. Democratic four hundred and thirty-nine ahead. Majority vote exceeds last year one hundred and thirty-eight.

S. M. SHELTON.

To MAYERS & LOWRY, *Brandon:*

What news from Rankin? Immense gains everywhere. Our victory assured beyond doubt. Hinds probably democratic.

J. Z. GEORGE.

BRANDON, *November* 2, 1875.

J. Z. GEORGE:

Our majority will be five hundred or more.

MAYERS & LOWRY.

To BYRAM DEMOCRATIC CLUB:

Be sure that you watch the box every minute, and allow no cheating.

J. Z. GEORGE.

J. B. CHESMAN, *Brookhaven:*

The news is certain. We will carry Hinds, Yazoo, Carroll, Grenada, Panola, Marshall, and Chickasaw. News good from all quarters. How about Lincoln?

J. Z. GEORGE.

NOVEMBER 2, 1875.

To BYRAM DEMOCRATIC CLUB, *Byram:*

The two inspectors should appoint the third, who must be a qualified voter and be sworn as the other inspectors. It is a high crime if they do not appoint, but their failure will not vitiate the election. Consult Code, sec. 370.

J. Z. GEORGE.

CANTON, 2, 1875.

To General GEORGE:

Your telegram of last night saved A. Warner at Calhoun.

GART. A. JOHNSON.

To Dr. BANKS and E. W. CABANIS, *Clinton:*

We have reliable reports that we will carry Bolton and Edwards. We are ahead 2 to 1 at Terry's. We are ahead here. From all parts of the State the reports make it sure that we will win by an immense majority.

J. Z. GEORGE.

CLINTON, *November* 2, 1875.

General J. Z. GEORGE:

Democratic majority at Raymond four hundred and forty. All the radicals voted; a few more democrats to vote; large vote polled.

S. M. SHELTON.

CLINTON, *November* 2, 1875.

General J. Z. GEORGE:

The radicals have only one hundred majority here, and voting about done.

CABANIS.

To General J. H. SHARPE and W. W. HUMPHRIES, *Columbus:*

We have carried the State by a large majority, but I want to hear from Lowndes at once.

J. Z. GEORGE.

COLUMBUS, *November* 2, 1875.

General J. Z. GEORGE:

One representative, one senator. Hope for more.

J. H. SHARPE.

COLUMBUS, *November* 2, 1875.

General J. Z. GEORGE:

Town fired last night in fourteen places. All quiet to-day. General Harp in command.

C. GROSS.

CRYSTAL SPRINGS, *November* 2.

General J. Z. GEORGE:

Reports from all precincts give heavy gains. County safe.

T. E. COOPER.

To Dr. WADLINGTON and Dr. MONTGOMERY, *Durant:*

What is the news from Holmes? We gain immensely everywhere and are sure to carry the State.

J. Z. GEORGE.

DURANT, *November* 2.

General J. Z. GEORGE:

Clean democratic majority of two hundred and sixty at Durant. Total vote, six hundred and thirty-three. Glory!

J. A. CASON.

To W. A. MONTGOMERY, *Edwards:*

News glorious from all quarters. How is it going at Edwards?

J. Z. GEORGE.

To W. A. MONTGOMERY, *Edwards:*

How does the vote stand now? Good news from all quarters. Certain to carry the State by a large majority.

J. Z. GEORGE.

EDWARDS, *November* 2, 1875.

J. Z. GEORGE.

Polls closed. Democratic majority about one hundred and fifty.

M. DABNEY.

EDWARDS, *November* 2.

J. Z. GEORGE:

All quiet. We will have a majority here.

W. A. MONTGOMERY.

EDWARDS, *November* 2.

J. Z. GEORGE:

Utica five hundred majority. Auburn over two hundred majority.

W. A. MONTGOMERY.

GOODMAN, *November* 2.

General GEORGE:

Be at number three. About three hundred majority for Singleton. All quiet. Our box one twenty-five to twenty.

W. J. TAYLOR.

NOVEMBER 6, 1875.

W. R. BARKSDALE, *Grenada:*

Reports from Yazoo, Kemper, Lauderdale, Panola, Yalabusha, Hinds, and Copiah show very large colored vote for us. The State is certain.

J. Z. GEORGE.

GRENADA, *November* 2.

General J. Z. GEORGE:

Three-fourths vote at this place cast. County certain for us. All quiet.

W. R. BARKSDALE.

GRENADA, *November* 2.

J. Z. GEORGE:

Everything progressing quietly here. We sure to carry this county-majority. Keep me posted from hour to hour this evening.

E. C. WALTHALL.

GOODMAN, *November* 2.

General GEORGE:

All quiet. This end of county all right. Colored people enthusiastic for conservative ticket.

W. J. TAYLOR.

GRENADA, *November* 2, 1875.

J. Z. GEORGE:

We are all right here. Everything quiet. Majority for us will be several hundred

E. C. WALTHALL.

H. H. CHALMERS, *Hernando:*

We carry nearly every county in the State. Our gains are immense everywhere. Can we rely on De Soto?

J. Z. GEORGE.

NOVEMBER 2, 1875.

To H. H. CHALMERS, *Hernando:*

Reports from Yazoo, Kemper, Lauderdale, Panola, Yalabusha, Hinds, Copiah, and Marshall show very large colored vote for us. The State is certain.

J. Z. GEORGE.

OKOLONA, *November* 3.

General J. Z. GEORGE:

Returns from every box received. We have eight hundred majority in Chickasaw. Reynolds is elected by at most eighteen hundred. See that our elect get their certificates, and then make Ames, Davis, Cardoza, and company walk thin and step scattering. All honor to you. Thank God, Mississippi is free.

J. R. McINTOSH.

W. R. BARKSDALE, *Grenada:*

Do send me the news.

J. Z. GEORGE.

To General E. C. Walthall, Grenada, Grenada County; J. R. McIntosh, Okolona, Chickasaw County; H. W. Walter, Holly Springs, Marshall County; W. H. Hardy, Meridian, Lauderdale County:

Reports indicate that we carry Hinds, Yazoo, Kemper, Chickasaw, Panola, and Marshall, Grenada, Lauderdale, and Carroll. We have nothing but good news from every quarter. Send me the news as fast as you can.

J. Z. GEORGE.

To H. H. Chalmers, Hernando; R. H. Taylor, Sardis; H. W. Walter, Holly Springs; I. B. Sykes, Aberdeen; J. R. McIntosh, Okolona; Fred. Barry, West Point; J. H. Sharpe, Columbus; W. R. Barksdale, Grenada; T. C. Barnes, Vaiden; T. C. Catchings, Vicksburgh; J. D. Vertner, Port Gibson:

Large gains here. Both colors voting democratic ticket in Yazoo. Our majority there will be 2,000.

J. Z. GEORGE.

HERNANDO, *November* 2.

General J. Z. GEORGE:

Election progressing quietly, and I think favorably, many negroes voting with us.

H. H. CHALMERS.

HERNANDO, *November* 2.

General J. Z. GEORGE:

We feel certain that we have carried De Soto by five hundred majority. Large negro box. There were no printed radical tickets. About twenty-five negroes voted our ticket, and the balance left without voting.

H. H. CHALMERS.

NOVEMBER 2, 1875.

H. W. WALTER and A. M. WEST, *Holly Springs:*

I have reports from all parts of the State. Every report is good. We carry Hinds, I think. We will have a majority in both branches of the legislature.

J. Z. GEORGE.

NOVEMBER 2, 1875.

H. W. WALTER *Holly Springs:*

Reports from Yazoo, Kemper, Lauderdale, Panola, and Yalabusha, Hinds, and Copiah show a very large colored vote for us. The State is certain.

J. Z. GEORGE.

HOLLY SPRINGS, *November* 2.

General GEORGE:

All quiet; large colored vote for us.

H. W. WALTER.

HOLLY SPRINGS, *October* 2.

General J. Z. GEORGE:

We have carried this county beyond doubt.

H. W. WALTER.

HOLLY SPRINGS, *November* 2, 1875.

General GEORGE:

Many boxes in; our majority not less than four hundred.

H. W. WALTER.

JACKSON, *November* 2, 1875.

H. A. RICE, *Macon, Miss.:*

What news from Noxubee? Answer.

J. Z. GEORGE.

NOVEMBER 2, 1875.

GEORGE E. DILLARD, *Macon, Miss.:*

Perfect quiet everywhere, except a slight scrimmage at Port Gibson.

J. Z. GEORGE.

MACON, ——— 2, 1875.

General J. Z. GEORGE:

Foote elected senate. Youanigin probably house.

I. K. ROSS,
Sec. Co. Ex. Com.

Editor of APPEAL, *Memphis:*

Reports from all parts of the State indicate a sweeping democratic victory. We have carried every doubtful county.

J. Z. GEORGE,
Chair'm Dem. Ex't Com.

NOVEMBER 2, 1875.

Editor of APPEAL, *Memphis:*

The democrats have carried every county so far as heard from. We carry every doubtful county. The State has been redeemed by a large majority. We have a majority on joint ballot and a majority in both branches of the legislature. Lamar, Singleton, and Hooker and Money elected to Congress, and probably Seal.

J. Z. GEORGE,
Chairman Dem. Ex. Com.

MERIDIAN, *November* 2.

General GEORGE:

Every house in the city closed. One hundred colored men have already voted our ticket at this box. Everything quiet.

W. H. HANDY.

MERIDIAN, *November* 2.

General GEORGE:

Indications are that we carry the county by four hundred and fifty majority.

W. H. HARDY.

DEMOCRATIC CLUB, *Meridian:*

Reports from all parts of our State show our complete success. Hinds probably carried. All the doubtful counties gone for us.

J. Z. GEORGE.

MERIDIAN, *November* 2, 1875.

J. Z. GEORGE:

Large negro vote for us; we are two to one; give us the news.

W. A. BROWN.

MERIDIAN, MISS.

General J. Z. GEORGE:

Lauderdale not less than six hundred democratic majority.

L. A. ROGSDALE.

NOVEMBER 2, 1875.

NEW YORK TRIBUNE:

The democrats have undoubtedly carried the State by a large majority. Will elect Lamar, Hooker, Singleton, and Money, and probably Seal to Congress. They will have a large majority on joint ballot in the legislature, in both branches. The election was quiet and peaceable, and no disturbance except a small fight in one place.

J. Z. GEORGE,
Chairman of Democratic Executive State Committee.

CHARLESTON, MISS., *November* 2.

General GEORGE:

Our victory is complete. Democratic majority four or five hundred.

J. S. BAILEY.

J. R. MCINTOSH, *Okolona:*

Will we carry Chickasaw certain? We carry nearly everything else.

J. Z. GEORGE.

J. R. MCINTOSH, *Okolona;* T. B. SYKES, *Aberdeen:*

Send me the election news for your counties. Reports from all parts of the State indicate a very large colored vote everywhere for us. Our success, by an overwhelming majority, is certain.

J. Z. GEORGE.

OKOLONA, *November* 2.

J. Z. GEORGE:

Chickasaw is certainly safe by a handsome majority.

J. R. MCINTOSH.

OKOLONA, *November* 2.

General J. Z. GEORGE:

Chickasaw is safe, and Okolona is as quiet as a graveyard.

J. R. MCINTOSH.

OKOLONA, *November* 2.

General J. Z. GEORGE:

Election here and at Egypt quiet; but a majority of negroes voting radical.

J. R. MCINTOSH.

OKOLONA, *November* 2.

General J. Z. GEORGE:

From reports received we think Chickasaw good for at least seven hundred majority.

J. R. MCINTOSH.

OXFORD, MISS., *November.*

J. Z. GEORGE:

Democracy have swept this county.

L. Q. C. LAMAR.

L. Q. C. LAMAR, *Oxford:*

We have carried De Soto, Marshall, Panola, Grenada, Kemper, Monroe, and all other doubtful counties. What is the news from La Fayette?

J. Z. GEORGE.

OXFORD, *November* 2.

General GEORGE:

La Fayette gone democratic by from three to five hundred majority.

J. W. MCLEOD,
Sheriff.

J. D. VERTNER, *Port Gibson:*

Offer full protection to all negroes wanting to vote. Be sure of this. Their contest of election will amount to nothing.

J. Z. GEORGE.

J. D. VERTNER, *Port Gibson:*

Reports are in from all parts of the State. We gain everywhere immensely. Have carried all the doubtful counties, and many strong radical counties. We will have a majority in both branches of the legislature.

J. Z. GEORGE.

NOVEMBER 2, 3 p. m., 1875.

J. D. VERTNER, *Port Gibson:*

Your dispatch satisfactory. Push on the column, but keep quiet. News from all parts show immense gains. We are sure to carry the State.

J. Z. GEORGE.

SARDIS, *November* 2.

General J. Z. GEORGE:

Panola County gone considerably over six hundred; our whole ticket elected without a doubt.

CALVIN B. VANCE,
Chm. County Cons. Ex. Comm.

SARDIS, *November* 2.

J. Z. GEORGE:

The negroes voting with us. Will carry the county by a heavy majority.

R. H. TAYLOR.

SARDIS, *November* 2.

General J. Z. GEORGE:

Eleven o'clock. Our tellers here report us ahead . . . . . one; everything working well.

R. H. TAYLOR.

NOVEMBER 2, 1872.

JAS. H. NEVILLE, *Scooba:*

Demand certificates of election from registrars according to actual count. Registrars have no right to inquire into questions of intimidation. That is a matter for the courts.

J. Z. GEORGE.

NOVEMBER 2, 1875.

JAS. H. NEVILLE, *Scooba:*

Get testimony complete as possible and bring it forward. Both houses legislature democratic.

J. Z. GEORGE.

SCOOBA, MISS., *November* 2.

General J. Z. GEORGE:

The radicals are going to contest the election here, for intimidation. I can get testimony from radicals and democrats that no intimidation has been used—I think. Had better get it while the excitement exists, and come to Jackson to-morrow night; what think you? We all think this advisable. I can to you a tale unfold. Answer immediately.

JAS. H. NEVILLE.

NOVEMBER 2, 1875.

J. H. NEVILLE, *Scooba:*

Have carried Hinds by over five hundred majority and the State by an immense majority.

J. Z. GEORGE.

DE KALB, VIA SCOOBA, *November* 2.

General J. Z. GEORGE:

All quiet; election progressing finely; radicals and negroes refusing to vote. Kemper will be all right this time.

WELSH,
Chairman Democratic Executive Committee.

SCOOBA, *November* 2.

J. Z. GEORGE:

Election progressing quietly; negroes nearly all voting with us. Chisholm and Gilmer have left the county. Kemper sends her greeting.

JAS. H. NEVILLE.

SCOOBA, 2.

J. Z. GEORGE:

Great enthusiasm prevails. Will be at Jackson Thursday morning. Your message has done good.

NEVILLE.

SCOOBA, *November* 2.

General J. Z. GEORGE:

Kemper sends greetings; about five hundred majority for our ticket. Let me know what your county did; great rejoicing here; anvils firing, &c.

J. H. NEVILLE.

JACKSON, *November* 2, 1875.

GEO. T. GRACY,
Summit, Miss.:

Send me the news.

J. Z. GEORCE.

SUMMIT, *November* 2.

General J. Z. GEORGE:

Put Pike down three hundred conservative majority; firing salutes now.

G. T. GRACY.

JACKSON, 2, 11, 1875.

To INSPECTOR OF ELECTION AT TERRY:

Parties can vote for beat officers only in their own beat.

J. Z. GEORGE.

TERRY, *November* 2.

General J. Z. GEORGE:

Send one hundred tickets by passenger train; our ticket two to one ahead.

J. J. HALBERT.

TERRY, MISS., *November* 2.

General J. Z. GEORGE:

Parties registered here living outside the beat are voting for beat officers. What shall we do?

INSPECTOR AT TERRY.

TUPELO, 2.

General J. Z. GEORGE:

Majority in Lee County not less than twenty-two hundred.

J. A. BLAIR.

S. C. BAINES, *Vaiden:*

We gain everywhere, and will carry the State by immense majority. This is certain. Tell our colored friends at Vaiden if they want to get in the democratic wagon now is the time.

J. Z. GEORGE.

VAIDEN, *November* 2.

J. Z. GEORGE:

Large vote polled; one hundred colored votes with us; vote about even now.

S. C. BAINES.

S. C. BAINES, *Vaiden:*

Do send me the news.

J. Z. GEORGE.

C. M. VAIDEN, *Vaiden:*

Good news from all quarters; we will carry both branches of the legislature,

J. Z. GEORGE.

VAIDEN, *November* 2.

General J. Z. GEORGE:

Democratic ticket one hundred ahead; I am two hundred ahead; majority in the county will be four hundred.

C. M. VAIDEN.

T. C. CATCHINGS, *Vicksburgh:*

Reports from all quarters indicate certain victory; Hinds all right.

J. Z. GEORGE.

W. M. YOUNG, *Vicksburgh:*

Marshall, De Soto, Panola, Grenada, Yazoo, Carroll, Kemper, Chickasaw, Colfax, Monroe, Copiah, and Rankin have all gone democratic. Every doubtful county carried by us; have not heard of a single radical victory; both branches of the legislature undoubtedly democratic.

J. Z. GEORGE.

VICKSBURGH, *November* 2.

J. Z. GEORGE:

All quiet here; both colors scratching too much to give figures.

W. K. INGERSOLL.

VICKSBURGH, *November* 2.

J. Z. GEORGE, *Chairman State Executive Committee:*

Still quiet. Still scratching. Large vote being polled. Can't give figures. Some mixed tickets are being voted by both colors in a part of the county. Catchings and half lower house are probably elected.

W. K. INGERSOLL.

VICKSBURGH, *November* 2, 1875.

General J. Z. GEORGE:

Telegraph me a full report of the election.

W. M. YOUNG.

VICKSBURGH, *November* 2.

General J. Z. GEORGE:

Election passed off quietly; so much scratching can give nothing definite; indications favor my election.

T. C. CATCHINGS.

PORT GIBSON, *November* 2.

J. Z. GEORGE:

Telegraph us eight o'clock to-night probable result; will celebrate; think we will carry this county by a small majority.

J. D. VERTNER.

WATER VALLEY, *November* 2.

General J. Z. GEORGE:

Election very quiet; total vote of beat about eight hundred and seventy-five; radical vote less than one hundred.

F. W. MORRIN.

WATER VALLEY, *November* 2.

General J. Z. GEORGE:

Election progressing quietly; more than half the blacks voting with the whites.

F. W. MORRIN.

WEST POINT, *November* 2.

General J. Z. GEORGE:

Only one death. The radical party in Colfax County expired this evening at 6 o'clock; no mourners.

I. F. BARRY.

WEST POINT, *November* 2.

General J. Z. GEORGE:

County democratic; everything quiet; not a drunken man, nor a single difficulty nor an unkind word.

I. F. BARRY.

Dr. MCCORMICK:

The reports are good from all quarters. Victory certain.

J. Z. GEORGE.

WEST POINT, *November* 2.

J. Z. GEORGE:

Profound peace all over county; good feeling between both races; colored people voting straight democratic and mixed ticket; very few, hardly one straight radical ticket voted here.

FRED. BARRY.

W. S. EPPERSON, *Yazoo City:*

Our men gaining everywhere; victory in the State certain.

J. Z. GEORGE.

YAZOO CITY, *November* 2.

General J. Z. GEORGE:

Both colors voting democratic ticket; county will go democratic by two thousand, majority.

W. S. EPPERSON,
Secretary Democratic Executive Committee.

YAZOO CITY, *November* 2.

J. Z. GEORGE:

Yazoo City has polled eight hundred and fifty votes at noon with one republican vote; great enthusiasm, both colors.

E. SCHAEFER.

YAZOO CITY, *November* 2.

J. Z. GEORGE:

Solid democratic white and colored vote, and a large one; peaceable and quiet; great enthusiasm.

MCCORMICK.

YAZOO CITY, *November* 2.

E. BARKSDALE:

The Parisot Club of colored democrats just voted three hundred and fifty strong. Captain Parisot placed at their disposal the steamer Yazoo.

P. M. DOHERTY.

YAZOO CITY, *November* 2.

General J. Z. GEORGE:

Returns coming in from all boxes overwhelmingly democratic.

W. S. EPPERSON.

YAZOO CITY, *November* 2.

J. Z. GEORGE:

Benton four hundred and nineteen democratic majority. Yazoo City twelve hundred and ninety democratic majority.

W. S. EPPERSON.

YAZOO CITY, *November* 2.

J. Z. GEORGE:

Yazoo estimated now at thirty-five hundred democratic majority. All quiet.

McCORMICK & PREWETT.

YAZOO CITY, *November* 2.

J. Z. GEORGE:

Yazoo gone democratic four thousand.

P. J. McCORMICK.

PORT GIBSON, *November* 2.

J. Z. GEORGE:

A large number of negroes from the country marched up to the polls in military order, about 11 o'clock, when the negroes who were interspersed with whites became insulting and threatening; one negro threatened to shoot, and white and black policemen attempted to arrest him, when a negro drew a pistol on a white man and would have shot him had not the white man grasped and thrown up the muzzle, when pistol exploded, burning his hand; then a general firing commenced; one negro killed; white man wounded; negroes stampeded on first fire. Previous to arrival of country negroes everything was quiet and peaceable.

Polls guarded by forty policemen—half white, half black; two white men ambushed and fired on on Grand Gulf bridge by a squad of negroes; no one hurt; all quiet now, and whites and blacks voting; many negroes voting democratic. Disturbance did not last five minutes; negroes returned in that time, but were advised by their leaders to leave. Call it intimidation, and contest the election; this is the version of white and black eye-witnesses. Coroner's inquest summoned, composed of both colors and parties.

J. T. VERTNER.

YAZOO CITY, *November* 3, 1875.

General J. Z. GEORGE:

Returns all in. Democratic majority four thousand forty-two. Send us the latest.

W. S. EPPERSON.

November 2—2 p. m., 1875.

J. B. SYKES, *Aberdeen:*

Hinds, Carroll, Panola, Grenada, Copiah, Yazoo, Marshall, Chickasaw, Kemper, all right. Immense gains everywhere. Majority in Yazoo, 2,000.

J. Z. GEORGE.

November 2, 1875.

To T. B. SYKES, *Aberdeen:*

Good for Monroe. Majority in Hinds at least one thousand. Both houses legislature democratic.

Hooker and Singleton supposed elected.

J. Z. GEORGE.

ABERDEEN, *November* 2, 1875.

J. Z. GEORGE:

Ten o'clock. All quite and going right in town. Will report again.

T. B. SYKES.

ABERDEEN, *November* 3.

General J. Z. GEORGE:

Send majority in each county heard from to this moment.

T. B. SYKES.

BAY SAINT LOUIS, *November* 3.

J. Z. GEORGE:

Seal's, for Congress, majority in Hancock over Lynch, two hundred and forty-three.

T. J. MURPHY.

ABERDEEN, MISS.

J. Z. GEORGE:

I am instructed by the democratic and conservative citizens of old Monroe, who have rolled up a majority of over a thousand, to request that you will, in their name, appoint a day of thanksgiving and prayer for the victory the God of hosts has given. The whole State will respond.

S. A. JONAS.

H. M. STREET, *Booneville:*

Hemingway and all Congressmen elected. Same doubt as to Seal. We have the senate as well as the house by decided majorities. Madison only recently heard from, which went radical, and there we saved two members by compromise. Everything lovely.

J. Z. GEORGE.

BOONEVILLE, *November* 3.

J. Z. GEORGE:

Prentiss gives Hemingway over seven hundred majority. Legislature ticket all right. Send me the news.

H. M. STREET.

H. S. COLE, *Brandon:*

Johnson and M. Caskill have both carried this county; majority several hundred; but not accurately known. We carry both branches of the legislature and elect treasurer and all the Congressmen; but not certain as to Seal.

J. Z. GEORGE.

BRANDON, *November* 3.

General J. Z. GEORGE:

We carried everything by seven hundred majority. Not a radical elected to any office. Hooker's majority seven hundred and three.

A. J. FRANTZ.

BRANDON, MISS., *November* 3.

J. Z. GEORGE:

Our majority seven hundred. Sorry can't make better report.

COLE & LOWRY.

BRANDON, *November* 3.

General GEORGE:

Senators six hundred ahead. How is Hinds for senators? Answer at once.

H. S. COLE,
Chairman.

BRANDON, *November* 3.

General GEORGE:

Rankin democratic majority six hundred, at least; election fair and peaceable.

MAYERS & LOWRY.

ROBERT POWELL, *Canton:*

Hemingway, Lamar, Wells, Singleton, Money, and Hooker elected certain; Seal, probably. Large democratic majorities in both branches of the legislature.

J. Z. GEORGE.

CANTON, MISS., *November* 3.

J. Z. GEORGE:

Madison goes eight hundred and fifty radical against nineteen fifty-three last year; fusion ticket elected. Telegraph news from State and district.

ROBERT POWELL,
Chairman Democratic Executive Committee.

3, 11, '75.

To R. W. JONES, *Coffeeville:*

Treasurer and all Congressmen democratic. Some doubt as to Seal. Large majorities in both senate and house for us. We have swept the State with a most complete victory.

J. Z. GEORGE.

COFFEEVILLE, MISS., 3.

General GEORGE:

Please give us such news as you have concerning the vote in the State.

R. W. JONES.

COFFEEVILLE, *November* 3.

General J. Z. GEORGE:

Democratic majority in Yallabusha seven-fifty.

G. H. LESTER.

COLUMBUS, *November* 3.

General J. Z. GEORGE:

Returns indicate clean democratic sweep.

J. H. SHARPE.

COLUMBUS, MISS., *November* 3.

General J. Z. GEORGE:

Our entire county ticket elected by good majorities. McCauley will lead Sims and Barry one hundred and fifty in this county.

I. M. MEEK.
J. H. FIELDS.
W. L. LESSCOMB.
C. A. JOHNSTON.

NOVEMBER 3, 1875.

JNO. A. BINFORD, *Duck Hill:*

Hemingway and all Congressmen elected. Some doubt, however, as to Seal. We have large majorities in both branches of the legislature.

J. Z. GEORGE.

DUCK HILL, *November* 3.

General J. Z. GEORGE:

Send all election-returns that you have.

JOHN A. BINFORD.

DURANT, *Nov.* 3, '75.

General J. Z. GEORGE:

Attala six hundred and twenty, balance one thousand and fifty.

WADLINGTON.

DURANT, MISS., *Nov.* 3.

Hon. J. Z. GEORGE:

Hemingway and Singleton six hundred and twenty-four majority. Co. ticket five hundred. Attala send one of Ames Gatling guns to salute and cheer over the redemption of the State. We have captured the king bee.

C. M. BROOKS,
Chm. Dem. Ex. Party.

ENTERPRISE, *Nov.* 3.

General. J. Z. GEORGE:

Have saved representative and senator; that is about all.

W. J. ADAMS.

NOVEMBER 3, 1875.

W. S. TAYLOR, *Goodman:*

State democratic by large majority. Hinds 1,300 majority for democrats. All our congressional candidates elected.

J. Z. GEORGE,
Per MARION SMITH.

GOODMAN, 3, 1875.

General GEORGE:

Just returned from Lexington; two boxes to hear from; conservative 1,064 majority. How is State?

W. J. TAYLOR.

W. R. BARKSDALE, *Grenada:*

How about Fitzgerald? We have carried both houses of legislature and all Congressmen, but not sure as to Seal.

J. Z. GEORGE.

GRENADA, MISS., *November* 3.

General J. Z. GEORGE:

Fitzgerald beats me in this county. Avery's name was not on many radical tickets. Fitzgerald is well elected.

W. R. BARKSDALE.

GRENADA, *November* 3.

General J. Z. GEORGE:

My majority will be 200; probably more. Our whole ticket elected.

W. R. BARKSDALE.

NOVEMBER 3.

J. L. FINLEY, *Guntown, Miss.:*

We have carried the State by a large majority. Have both houses of the legislature. Elected all our Congressmen except Seal, and probably him.

J. Z. GEORGE.

GUNTOWN, *November* 3.

General J. Z. GEORGE:

How has State gone? Answer at noon; we pay here.

J. L. FINLEY.

NOVEMBER 3, 1875.

TIM. E. COOPER, *Hazlehurst:*

We have carried the State by a large majority. Have the legislature in both branches. Lamar, Money, Singleton, Hooker, and probably Seal elected to Congress.

J. Z. GEORGE.

HAZLEHURST, *November* 3, 1875.

General J. Z. GEORGE:

Our majority is about 500 in the county. How goes the State?

TIM. E. COOPER.

HAZLEHURST, *November* 3.

J. Z. GEORGE:

Copiah's majority 651.

T. E. COOPER.

HERNANDO, *November* 3.

General J. Z. GEORGE:

We have carried De Soto by 600 majority. I feel confident that we have elected both senators.

H. H. CHALMERS.

HERNANDO, *November* 3.

J. Z. GEORGE:

Majority in this county one thousand, in Tate six hundred; both senators certainly elected.

H. H. CHALMERS.

H. M. WALTERS, *Holly Springs:*

Our victory complete all over the State. Treasurer and all Congressmen ours. Some doubt as to Seal. Legislature largely democratic in both branches. In the lower house the opposition is merely nominal.

J. Z. GEORGE.

HOLLY SPRINGS, *November* 3.

Gen. J. Z. GEORGE:

We have carried our whole ticket by average majority of three hundred.

H. M. WALTER.

JACKSON, TENN., *November* 3.

General GEORGE:

Telegraph me in regard to the State; full particulars.

W. R. McINTOSH.

GEO. G. DILLARD MACON:

We have carried the State by a large majority. Elected all the Congressmen except Seal and probably elected him. Have a majority in each house of the legislature. The results astonish the most sanguine of our friends.

J. Z. GEORGE.

MACON, *November* 3.

Gen. J. Z. GEORGE:

One white man and one negro shot at Snap in this county, and one horse killed; private fuss. Colfax goes democratic; we are yet counting. Money is elected, we are sure. Report.

GEO. G. DILLARD.

MISSISSIPPI CITY, *November* 3.

J. Z. GEORGE:

Harrison County has done nobly. The democratic ticket down to constable is elected. McInnis, democrat, is elected to the legislature from this and Jackson County. All is peace.

R. K. MAYERS.

NEW ORLEANS, *November* 3.

Col. J. Z. GEORGE,
Chairman Democratic Executive Committee:

Advise us as soon as it will be safe to fire a salute in honor of democratic victory.

LEIGH WATKINS.
JOHN B. FEARNE.

JACKSON, *November* 3, 1875.

To LEIGH WATKINS AND JOHN B. FEARNE,
New Orleans:

Our victory is complete all over the State. Have elected the treasurer, all the Congressmen; but we are not sure as to Seal. Have a majority in each branch of the legislature. The State is fully redeemed.

J. Z. GEORGE,
Chairman Democratic and Conservative Executive Committee.

NEWTON, *November* 3.

General GEORGE:

Singleton's majority in Newton County one thousand and thirty-nine; Hemingway nine eighty-eight. Official.

A. H. WATTS.

NOVEMBER 3, 1875.

J. R. MCINTOSH,
Okolona:

Marshall, DeSoto, Panola, Tallahatchie, Grenada, Carroll, Yazoo, Hinds, Copiah, Kemper, Colfax, Monroe, and probably Claiborne, gone democratic. We have made a clean sweep so far as heard from. All our Congressmen elected, except possibly Seal may be defeated. Majority on joint ballot in both branches of legislature.

J. Z. GEORGE.

DEMOCRATIC CLUB,
Oxford:

Treasurer and all Congressmen elected. Some doubt, however, as to Seal. Large democratic majorities in both branches of the legislature.

J. Z. GEORGE.

OXFORD, *November* 3.

General J. Z. GEORGE:

Send result of State election to us by three o'clock.

DEMOCRATIC CLUB.

PASCAGOULA, *November* 3.

J. Z. GEORGE:

Jackson County gives Seal and Hemingway five hundred majority.

J. M. MCINNIS.

PASCAGOULA, *November* 3.

J. Z. GEORGE:

Democracy have carried Jackson County by a large majority.

E. G. GRIFFIN.

W. S. COLE, *Pickens:*

The State has gone largely democratic. We have carried both branches of the legislature, and all the Congressmen except one, and probably him. Hemingway is elected.

J. Z. GEORGE.

PICKENS, *Miss.*, *November* 3.

J. Z. GEORGE:

How has the State gone? Holmes and Yazoo reports democratic.

W. S. COLE.

PORT GIBSON, *November* 3, 1875.

J. Z. GEORGE:

Telegraph the result in full far as known. Claiborne democratic by about five hundred. Have we impeaching majority? Claiborne voted its thanks to you last evening by deafening cheers. All quiet.

J. D. VERTNER.

R. A. TAYLOR AND J. G. HALL, *Sardis:*

We have elected treasurer and all Congressmen; not sure, however, as to Seal. Democratic majority in both branches of the legislature. Our victory complete by very large majorities. Our most sanguine hopes more than realized.

J. Z. GEORGE.

SARDIS, *November* 3.

J. Z. GEORGE:

Panola County sends greeting to the State committee, and elect our whole ticket by majority ranging from six to eight hundred; how with the State?

TAYLOR & HALL.

NOVEMBER 3, 1875.

JAS. H. NEVILLE, *Scooba:*

Keep down excitement. See that returns of election are duly made, and that certificates of election are duly given.

J. Z. GEORGE.

SCOOBA, *November* 3.

General J. Z. GEORGE:

The managers of election here have never been regularly notified. Meet me to-morrow night. I don't believe the people of Kemper will allow Chisholm to come back here again. Had I better examine the board of registrars as to appointment of managers before I leave for Jackson? Great excitement here.

J. H. NEVILLE.

SCOOBA, *November* 3.

General J. Z. GEORGE:

Democratic majority in the county nine hundred and twenty-three.

JAS. H. NEVILLE.

VARDEN, MISS., *November* 3.

J. Z. GEORGE:

Varden gone democratic over one hundred.

J. R. HAGGIE.

3, 11, '73.

P. A. GARNER, *Summit, Miss.:*

The reports elect all our congressmen except Seal; as to him we are in doubt, from number of reports. Hemingway elected. We have both the senate and house by large majorities. Our victory clear and complete everywhere.

J. Z. GEORGE.

SUMMIT, *November* 3.

General J. Z. GEORGE:

County democratic except sheriff by one twenty-five majority. Send us news late this evening.

T. A. GAINES,
Secretary Club.

VARDEN, MISS., *November* 3, '75.

To Col. J. Z. GEORGE:

Hemingway's majority over six hundred and fifty in the county. Varden and Southworth elected by three hundred and fifty majority. County officers democratic, except chancery clerk.

L. H. SOMERVILLE.

VICKSBURGH, MISS., 3.

General J. Z. GEORGE:

Hooker, at least, two representatives. Sheriff, myself, and several minor officers carried by handsome majorities; so much scratching and counting so slow, no details, but you can depend on the above statement.

T. C. CATCHINGS.

To A. TAYLOR, *Waynesborough, Miss.:*

All congressmen elected, I think. Some doubt as to Seal. Legislature in both branches largely democratic.

J. Z. GEORGE.

WAYNESBOROUGH, *November* 3, '75.

General J. Z. GEORGE:

Hemingway and Hooker's majority two hundred in Wayne; the whole county democratic. How are the congressional districts?

A. TAYLOR.

NOVEMBER 3, 1875.

H. D. MONEY, *Winona:*

Hemingway and all our congressional candidates elected. Some doubt, however, as to Seal. We have large majorities in both branches of the legislature.

J. Z. GEORGE,
Per MARION SMITH.

WINONA, MISS., *November* 3.

Gen. J. Z. GEORGE:

Democratic majority five hundred and seventy. Send me the news.

H. D. MONEY.

NOVEMBER 3, 1875.

I. V. NOLAND, *Woodville:*

Hemingway and all our congressional candidates elected. Some doubts, however, as to Seal. We have large majorities in both branches of the legislature.

J. Z. GEORGE,
Per MARION SMITH.

WOODVILLE, *November* 3.

Gen. J. Z. GEORGE:

Buchanan about eighteen hundred. Hemingway about four hundred and twenty-five. Answer result of State.

F. V. NOLAND.

NOVEMBER 3.

To Prewett, Efferson, and others, Yazoo City: We have made a clean sweep, so far as heard from, carrying every doubtful county. Have elected all the congressmen Seal, however, still in doubt, and have majority in each houses of the legislature Nothing definite from Holmes. There is no doubt about our complete success.

J. Z. GEORGE.

YAZOO CITY, *November* 3, 1875.

J. Z. GEORGE:

Let us know how Seal stands, and all additional news.

W. J. EPPERSON.

ABERDEEN, MISS., *November* 3, 1875.

J. Z. GEORGE:

I am instructed by the democratic conservative citizens of old Monroe, who have rolled up a majority of over a thousand, to request that you will, in their names, appoint a day of thanksgiving and prayer for the victory the God of hosts has given. The whole State will respond.

S. A. JONAS.

NOVEMBER 3, 1875.

H. M. STREET, *Booneville:*

Hemingway and all congressmen elected. Some doubt as to Seal. We have the senate as well as the house by decided majorities. Madison only county heard from which went radical; and there we saved two members by compromise. Everything lovely.

J. Z. GEORGE.

BOONEVILLE, MISS., *November* 3, 1875.

J. Z. GEORGE:

Prentiss gives Hemingway over seventeen hundred majority; legislative ticket all right; send me the news.

H. M. STREET.

H. S. COLE, *Brandon:*

Johnston and McCaskill have both carried this county; majority several hundred, but not accurately known. We carry both branches of the legislature and elect treasurer and all the Congressmen, but not certain as to Seal.

J. Z. GEORGE.

BRANDON, *November* 3, 1875.

General J. Z. GEORGE:

We have carried everything by seven hundred majority; not a radical elected to any office. Hooker's majority seven hundred and three.

H. J. FRANTZ.

BRANDON, *November* 3, 1875.

J. Z. GEORGE:

Our majority seven hundred; sorry can't make better report.

COLE AND LOWRY.

BRANDON, MISS., *November* 3, 1875.

General GEORGE:

Senators six hundred ahead. How is Hinds for senators? Answer at once.

H. S. COLE,
Chairman.

BRANDON, *November* 3, 1875.

General GEORGE:

Rankin democratic majority six hundred, at least; election fair and peaceable.

MAYERS AND LOWRY.

ROBERT POWELL, *Canton:*

Hemingway, Lamar, Wells, Singleton, Money, and Hooker elected certain, Seal probably. Large democratic majorities in both branches of the legislature.

J. Z. GEORGE.

CANTON, MISS., *November* 3, 1875.

J. Z. GEORGE:

Madison goes eight hundred and fifty radical against nineteen fifty-three last year. Fusion ticket elected. Telegraph news as from State and district.

ROBERT POWELL,
Chairman Democratic Executive Committee.

3, 11, 1875.

R. W. JONES, *Coffeeville:*

Treasurer and all Congressmen democratic. Some doubt only as to Seal. Large majorities in both senate and house. We have swept the State with a most complete victory.

J. Z. GEORGE.

COFFEEVILLE, MISS., *November* 3, 1875.

General GEORGE:

Please give us such news as you have concerning the vote in the State.

R. W. JONES.

COFFEEVILLE, MISS., *November* 3, 1875.

General J. Z. GEORGE:

Democratic majority in Yallabusha seven-fifty.

G. H. LESTER.

COLUMBUS, MISS., *November* 3, 1875.

General J. Z. GEORGE:

Our entire county ticket elected by good majority. McCauley will lead Sims and Barry one hundred and fifty in this county.

S. M. MEEK.
J. H. FIELDS.
W. L. LIPSCOMB.
C. A. JOHNSTON.

JOHN A. BINFORD, *Duck Hill:*

Hemingway and all Congressmen elected. Some doubt, however, as to Seal. We have large majorities in both branches of the legislature.

J. Z. GEORGE.

DUCK HILL, *November* 3, 1875.

General J. Z. GEORGE:

Send all election-returns that you have.

JOHN A. BINFORD.

DURANT, MISS., *November* 3, 1875.

General J. E. GEORGE:

Attala six hundred and twenty; Holmes one thousand and fifty.

WADLINGTON.

DURANT, MISS., *November* 3, 1875.

Hon. J. Z. GEORGE:

Hemingway and Singleton six hundred and twenty-four majority. County ticket five hundred. Attala sends one of Ames's Gatling guns to salute and cheer over the redemption of the county. We have captured the king bee, Jason Niles, by boxing.

C. M. BROOKES,
Chairman Democratic and Conservative Party.

ENTERPRISE, *November* 3, 1875.

General J. Z. GEORGE:

Have saved representative and senator; that is about all.

W. J. ADAMS.

NOVEMBER 3, 1875.

W. J. TAYLOR, *Goodman:*

State democratic by large majority. Hinds, 1,300 majority for democrats. All our congressional candidates elected.

J. Z. GEORGE,
Per MARION SMITH.

GOODMAN, MISS., *November* 3, 1875.

General GEORGE:

Just returned from Lexington; two boxes to hear from; conservative 1,064 majority. How is State?

W. J. TAYLOR.

W. R. BARKSDALE:

How about Fitzgerald? We have carried both houses of legislature and all Congressmen, but not sure as to Seal.

J. Z. GEORGE.

GRENADA, MISS., *November* 3, 1875.

General J. Z. GEORGE:

Fitzgerald beats me in this county. Avery's name was not on many radical tickets. Fitzgerald is well elected.

W. R. BARKSDALE.

GRENADA, MISS., *November* 3, 1875.

General J. Z. GEORGE:

My majority will be 200, probably more; our whole ticket elected.

W. R. BARKSDALE.

GUNTOWN, MISS., *November* 3, 1875.

General J. Z. GEORGE:

How has State gone? Answer at noon; we pay here.

J. L. FINLEY.

NOVEMBER 2, 1875.

J. L. FINLEY, *Guntown, Miss.:*

We have carried the State by a large majority; have both houses of the legislature. Elected all our Congressmen except Seal, and probably him.

J. Z. GEORGE.

HAZLEHURST, *November* 3, 1875.

General J. Z. GEORGE:

Our majority is about 500 in the county. How goes the State?

TIM E. COOPER.

NOVEMBER 3, 1875.

TIM E. COOPER, *Hazlehurst*:

We have carried the State by a large majority; have the legislature in both branches. Lamar, Money, Singleton, Hooker, and probably Seal elected to Congress.

J. Z. GEORGE.

HAZLEHURST, MISS., *November* 3, 1875.

J. Z. GEORGE:

Copiah's majority 651.

TIM E. COOPER.

HERNANDO, MISS., *November* 3, 1875.

General J. Z. GEORGE:

We have carried De Soto by 600 majority. I feel confident that we have elected both senators.

H. H. CHALMERS.

COLUMBUS, MISS., *November* 3, 1875.

General J. Z. GEORGE:

Returns indicate clear democratic sweep.

J. H. SHARP.

HERNANDO, MISS., *November* 3, 1875.

J. Z. GEORGE:

Majority in this county 1,000; in Tate 600. Both senators certainly elected.

H. H. CHALMERS.

H. W. WALTER, *Holly Springs, Miss.*:

Our victory complete all over the State; treasurer and all Congressmen ours; some doubt as to Seal; legislature largely democratic in both branches. In the lower house the opposition is merely nominal.

J. Z. GEORGE.

HOLLY SPRINGS, MISS., *November* 3, 1875.

General J. Z. GEORGE:

We have carried our whole ticket by average majority of 300.

H. W. WALTER.

JACKSON, MISS., *June* 24, 1876.

Examination of JOHN A. GALBREATH continued.

By the CHAIRMAN:

Question. Have you any dispatches in response to the last subpœna?—Answer. Yes, sir.

Mr. BAYARD. Let me see the subpœna. I desire to have noted the same objection that was made before to the admission of these telegrams.

By the CHAIRMAN:

Q. You can read the telegrams.—A. They are as follows:

JACKSON, MISS., *June* 12, 1876.

W. K. INGERSOLL, *Vicksburgh*:

See Adams, Klein, and other friends, and raise $500. Telegraph me an order for it to-day. Must be done.

W. R. SPEAR.

JACKSON, MISS., *June* 12, 1876.

W. K. INGERSOLL, *Vicksburgh, Miss.*:

What are you doing? Hurry up. Important

SPEARS,
Edwards House.

JACKSON, MISS., *June* 12, 1876.

W. K. INGERSOLL, *Vicksburgh:*

I have talked with K. Spears is right. Something must be done at once or I fear great trouble to friends in Warren. Reply by 10 o'clock to-morrow.

S. M. MEEK.

VICKSBURGH, *June* 12, 1876.

W. R. SPEARS, *Jackson:*

I can do nothing.

W. K. INGERSOLL.

JACKSON, MISS., *June* 12, 1876.

W. K. INGERSOLL, *Vicksburgh:*

Then I can do nothing, and will be in on morning train.

SPEARS.

VICKSBURGH, MISS., *June* 13.

Colonel SMITH, KLEIN, AND OTHERS:

Go out on evening train. This is all I can say.

W. K. INGERSOLL.

Q. That is all?—A. Yes, sir.

ANN HODGE—HINDS COUNTY.

JACKSON, MISS., *June* 19, 1876.

ANN HODGE (colored) sworn and examined.

By the CHAIRMAN:

PERSONAL STATEMENT.

Question. How old are you?—Answer. Eighteen years old.

Q. Have you been married?—A. Yes, sir.

Q. What is your husband's name?—A. Square Hodge.

Q. Where do you live now?—A. Eight miles below Raymond.

Q. Do you know anything about the Clinton riot last September?—A. I was not there. I know my husband came home; he was there.

Q. What day of the week was that?—A. On Saturday. The riot was on Saturday.

Q. Did your husband come home to your place?—A. Yes, sir; he came home Saturday night, in the night.

Q. Was he hurt?—A. He was shot in the arm.

Q. Could he use his arm?—A. No, sir; he could not use it at all. He had it in a sling.

Q. Did he tell you how he got hurt?—A. Only that he got shot. That is all he told me.

Q. Did he stay at home that night?—A. Yes, sir.

WHITE PEOPLE CAME FOR HIM.

Q. On Sunday morning what happened?—A. The white people came there after him in the morning.

Q. Who were they?—A. Henry Quick, Willy Locke, Bryan McDonald, John McDonald, George Allen, John McNeir, and Allen Grafton came.

Q. Any more?—A. No, sir; I did not know any more. Two or three, I didn't know them.

Q. Did they have horses or come on foot?—A. All riding.

Q. On horses?—A. Yes, sir.

Q. Did they have any guns?—A. Yes, sir; guns and pistols.

Q. They came to your house?—A. Yes, sir.

Q. Who was in the house besides yourself?—A. Me and my brother there and another brother.

Q. Who is he?—A. John Jones.

Q. Who else?—A. My other brother, Lewis, and brother William, and my mother and little children.

Q. How many children?—A. Five of them.

Q. Have you any children yourself?—A. Yes, sir; I have two.

Q. Did these men come in the house?—A. Allen Grafton and John McNeir came in. The rest staid around the house.

THEY FIND HODGE.

Q. What was done?—A. They made my brother come out from under the bed—my brother John—and asked where Square was, and said, "Is he in the room?" and I did not tell, and said I did not know at first. Then he asked if they had been at the Clinton riot, and I said that I did not know. Then he said, "If you don't tell, I will shoot your God-damned brains out." They made him come out from under the bed, and started to shoot under the house—mother put the children under the house; she was scared and put the children under the house, and they gone around. There is two doors in the house. They had pistols pointed under the house, and I told them that nobody was under but the children. Then they came in the house but could not find Square, and they went out right where he was, and snatched off the weather-boards, only one in the room, and the other went outside the door and snatched the weather-board and turned back the bed and made him come out, and called him a damned son of a bitch, and said he must come with them. Mr. Quick says, "I told you this; if you had listened to me you would not have come to this," and they told him to put his shoes on, and I got them and said I will put them on; and I had to put them on and could not tie them very well; and some one said, "Let the God-damned shoes be; he don't need any shoes." I put my brother's coat on him, and they carried him before them.

Q. On the horse?—A. No, sir; he walked before them away toward Raymond.

Q. Now what happened?—A. Nothing else.

"THEY KILLED HIM."

Q. What became of your husband?—A. They killed him. I never did find him for a week until the next Saturday.

Q. Where did you find him?—A. Near about a mile and a half to the last bridge to Raymond, in the swamp.

Q. Who found him?—A. A colored man who was running off, keeping out of the way of the rebs, too, and he come across the body, and went and got a spade, and dug a hole and put a blaze on the trees all the way out, and then we got the news; and Mr. Quick he took and made a box for us, and he loaned us a wagon, and we went after him that Saturday.

THE BODY FOUND.

Q. You found his body?—A. The buzzards had eat the entrails; but from the body down here [indicating] it was as natural as ever. His shoes were tied just as I had tied them. The skull bone was on the outside of the grave, and this arm was out slightly and the other was off. Some we didn't find. We picked up the rings of the backbone. We got the pocket-book, and there was the hat hanging up, and this ring was put on the tree and the black one was on the ground; this one.

By Mr. BAYARD:

Q. Did you ever take an oath before?—A. No, sir.

Q. Do you know the meaning of taking an oath?—A. No, sir.

Q. Do you know what the consequences are of swearing falsely?—A. No, sir.

JACKSON, MISS., *June* 19, 1876.

JOHN JONES (colored) sworn and examined.

By the CHAIRMAN:

Question. Have you ever taken an oath?—Answer. Yes, sir; at the court-house.

Q. What is your name?—John Jones.

Q. How old are you?—A. Twenty-two years old.

Q. Where do you live?—A. I stay at John Deddrick's.

Q. How long have you been there?—A. I have been there ever since directly after Christmas.

Q. Where were you before that time?—A. I lived eight miles below Raymond.

Q. You lived at the same place with your sister, who was just here?—A. Yes, sir.

WENT TO CLINTON.

Q. Did you go to Clinton on the 1st of September, when they had a disturbance there and some people shot?—A. Yes, sir.

Q. What do you know about the affair at Clinton?—A. I was there, and a white gentleman, I did not know him; they was speaking, and they started this fuss. That is all I know. Vinkey Wardell was quarreling, and they got around him and they started away, and directly the drums commenced beating and the colored people started off; and after while I heard a pistol go boom! and when I heard this fuss up there I broke and run to the top of the hill, and I heard some one say,

I DIDN'T FIGHT; I BROKE AND RUN.

"Don't run; stand and fight!" but I didn't fight; I broke and run; and I come across my brother-in-law, Square Hodge. He rushed by me and was going to my sister's house, and he says, "I am shot." "Where are you shot?" says I. "In the right arm; you had better run or you will get shot, too," he said; and I run and kept right on, and would not turn around, but kept on till I got home. Now, next morning was Sunday morning, and I was in the house. We were both in the room, and I was uneasy, and I put on my clothes. I got dissatisfied and restless, and thought I would go, and I started off, and when I got about a hundred yards from the house, I saw these white men coming, and they took right at me, and I run back in the house, and directly when I got there they were there, too, and I run in and run under the bed, right where my sister was; and Allen Grafton and George Allen came right into the house and the rest went around. Grafton said, "Come out, or I will shoot your damned head off." He had two pistols in his hand, and a large one hung around him. Alley Grafton come, and George Allen, and said they would shoot my damned head off, and said I was in the Clinton riot, and I said, "No, I was not." They were going to shoot under the house, and my sister said, "Please don't shoot my chil-

TELLS WHERE HODGE IS HIDING.

"Where is Square?" they asked, and I said, "I will tell you," and I said, "he is in here." I was so scared that I said where he was. He had jumped out of my bed in the room and went in there; and they looked for him and could not see him, and they snatched off the weather-boarding up there so they could see him, and they says, "You God-damned son of a bitch, come out from there;" and Mr. Quick said, "You have to go to Raymond; I told you this before." I never saw him any more until we put him in the grave. A gentleman named Nat Boyd buried him, and said as to where we could find him, and we found

him, and it was Square Hodge; and we dug it up and carried it and buried it in the grave-yard.

By Mr. CAMERON:

Q. Where did this young man live that came for your brother-in-law?—A. Bryan McDonald? He staid in three miles of us. George Allen staid only about a mile distant, and Alley Grafton about a mile and a half from us, and the other man—I can't think of his surname—his name is John McNeir, lived about two miles from us. Willey Locke, he staid out some place about a mile from Mr. Quick's place.

By Mr. BAYARD:

Q. Where did you ever take an oath before?—A. They had me for a witness in a case at Clinton. Mr. Boyd's brother, that was accused of stealing a bale of cotton. They made me hold up my right hand and take an oath.

Q. Do you know the consequences of taking an oath, and then swearing falsely?—A. Yes, sir.

Q. What do you understand?—A. A penitentiary crime.

Q. It is also another crime. Who was this man that was quarreling?—A. Vinkey Wardell, Willey Locke's cousin, and he staid up there in Raymond.

Q. Who with?—A. Some one of the gentlemen who started the riot or commenced quarreling.

Q. Who started it?—A. When they commenced—I know him—they said he was drinking, and I was very well acquainted with him and I says, "Vinkey, I wouldn't quarrel with him."

Q. You called him by his first name?—A. Yes, sir. He is young man grown, and I didn't exactly——

Q. Is he a white man?—A. Yes, sir.

Q. Did you always call him by his first name?—A. Yes, sir, always; just Vinkey.

Q. Where were the gentlemen he was with?—A. There was so many around I could not see good, and when I spoke the gentleman I hallooed out to him, and when the shooting commenced I run right off.

GEORGE CHARLES—HINDS COUNTY.

JACKSON, MISS., *June* 20, 1876.

GEORGE CHARLES (colored) sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you live?—Answer. At Jackson, right here.

Q. What have you been doing for the last year?—A. Well, I have been working around town, just one thing, then another; working at the store, sometimes.

Q. Were you at any time employed as a guard around the governor's mansion?—A. I was.

Q. When?—A. Last fall.

Q. About what time?—A. I think, November.

Q. Were you on duty there at night?—A. Yes, sir.

THE GOVERNOR'S MANSION FIRED ON.

Q. State to the committee whether there was any firing about the

building when you were there?—A. As well as I can say, there was a great deal of firing. I was there about thirty-three nights, as well as I can recollect, and there was a great deal of firing.

Q. When did it occur. What happened?—A. It commenced, generally speaking, about 10 o'clock, and went on until about near three.

Q. Did you see the people who did it?—A. I could see the persons moving on the street, about, these nights there, but could not go out on the street. I was afraid to go out and kept inside of the yard. I could not tell who the persons were. Had no right to go out, and would not go outside. When there was firing I could not see them, but could hear the shot cut the limbs of the trees. One night I recollect it was so severe that we had to run down in the kitchen part of the mansion and put our lights out.

Q. Was the house struck by any shot?—A. I think it was; I am not certain. One night, the night they had a torch-light procession, I was out at the gate, as the crowd came along, standing at the gate, as the procession passed, and about two hours after it passed I was standing at the gate, and some person shot right up near to where the governor's bed was—shot twice, and as they shot the last time the governor stepped to the window and asked, "Where did that firing come from?" I said, "From across the street." I saw one man move, but could not make out who he was. I saw about four or five men standing together, but could not tell who they were.

Q. You do not know any of the persons who did the firing?—A. No, sir.

By Mr. BAYARD:

Q. When was this?—A. About the month of November last.

Q. Before or after the election?—A. Well, before the election.

Q. The election took place the 2d of November?—A. Yes, sir; after the election I staid there three nights.

Q. Who employed you?—A. Governor Ames got a colored man to employ us.

Q. How many were employed?—A. Six of us there.

Q. What was your duty?—A. To watch around there at night.

Q. To guard his place?—A. Yes, sir.

Q. Had anybody attempted to break in?—A. I do not know. It seemed that there had been.

Q. You mean the mansion right here in this city?—A. Yes, sir.

Q. It is surrounded with a picket-fence?—A. Yes, sir.

Q. How far was it from the building to the fence?—A. I suppose about as far as this street across there.

Q. The house is in the middle of the lot?—A. Yes, sir.

Q. It is surrounded by trees?—A. Yes, sir.

Q. How far from the fence to his house?—A. About 25 or 50—not 50, may be 35 or 40 yards away; one part.

Q. Were the persons who fired these shots that you heard standing on the sidewalk across the street from the fence that surrounded it?—A. Some nights were very dark, and I could not tell, really. We could see the shot fired from the corner; saw the fire.

Q. You could see the flash?—A. Yes, sir; and see the man pass off.

Q. Could you tell which direction the firing was?—A. From about the middle of the street.

Q. Could you see in which direction—toward what point—the firing was?—A. Right toward the mansion it seemed to be. If shooting from it I could not see the flash so plain.

Q. How many nights did you stay there?—A. I think about thirty-three nights.

Q. Staid on duty until Christmas?—A. I went there before the first of November and staid there until after the election.

Q. You went there when?—A. The first of November, and staid there till after the election was over.

Q. Staid there until near Christmas?—A. No, sir; until the election was over, though.

Q. Did you ever see a mark of a bullet made on the house?—A. No, sir; I never examined it.

Q. Did you make an examination of the house to find bullet-marks there?—A. No, sir.

Q. Do you know whether any examination was made by anybody else to find out whether there were marks?—A. No, sir.

Q. These other men with you were all colored men, were they?—A. Yes, sir.

Q. Did some of the men stay there night and day both?—A. Yes, sir.

Q. They never pointed to any marks or scars?—A. I heard that there were marks, but I do not know whether it was true or not.

FIELD FOSTER—HINDS COUNTY.

JACKSON, MISS., *June* 20, 1876.

FIELD FOSTER (colored) sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. What is nour name?—Answer. Field Foster.

Q. Where do you live?—A. I live in Jackson.

Q. Were you employed last year at the governor's house?—A. Yes, sir.

Q. When?—A. I was employed at Governor Ames's mansion from the first of June to the last of November—I think about the second fall month. I was there until nearly Christmas.

GOVERNOR'S HOUSE FIRED ON IN THE DAY-TIME.

Q. It has been stated that there was some firing about the governor's house; state what occurred, if you know.—A. I was there, and there was firing done there most every two or three nights in the week, and near the election every night almost; and firing was done in the day-time, too.

Q. You can state the particulars and what you know about it.—A. All I know about it, I saw the same men pass there in a wagon.

Q. At night?—A. In the day-time; in a procession; and the governor had just left me at his office, and the window was open, and his room fronting to the south of the street this way, (in the front of the mansion.) I saw some gentlemen come up in a wagon and shoot over there. I was standing then at the corner of the Clarion office. I just left the mansion and stopped when I saw them shooting, and turned around and looked, and then went back to the mansion to see if they had struck anything in the house, and they had struck an oak-tree right in range of the governor's room; and one time, while I was at the mansion four or five weeks, the governor asked me to stay there every night; told

me to get four or five or six, and stay there, and they were shooting there; and one night there the balls came near hitting me—struck the house, and the balls rattled on the roof, and they began to shoot very rapidly, and I sent in and called for the governor's secretary, and told him to tell the governor he had better send to camp and get protection; that I could not risk my life any more there at night; and the governor's secretary then came up (Rhodes) and waked up his wife, but she was already waking, and was standing on the floor, and took his wife and one child up-stairs.

FIFTEEN TO THIRTY SHOTS FIRED.

I warned him, and told him he had better take them up-stairs—did not know what minute they would come in there. When they first commenced shooting, they commenced in front, and ended in the rear of the mansion. I heard them there at the back gate, and I went to the stable there, and walked up and heard men in a low tone. A man said, "God damn him, you go in and take him out." The others argued, "No; don't do it." I supposed fifteen or thirty shots, may be. They got pretty thick. I told the governor I thought it would not be safe for him or any of the rest of us to stay there. The boys said they would not stay any longer. They would not stand it. I was sergeant of the guard there. Says I, "Boys, these men firing around, they want some of us to shoot at them; and," says I, "none of you must shoot at these men at all on the outside of the grounds of this mansion. If anybody comes inside of the yard in the mansion-grounds, halt him, and if he don't halt," says I, "shoot."

Between 11 and 12 o'clock there was some five men out at the gate, and one man come in. I had Polk Smith standing under a tree there right behind the path as you go up-stairs, going around to the main gate. They sent him in. He came in, and he says, "Well, there is guards here." They said, "No; go in anyhow;" and there was five or six of them at the gate, I suppose. This man came in and got about half-way, and Polk Smith either moved or cocked his gun, or something, and he heard Polk, and he went back and out the gate again. I was very particular to tell the boys not to shoot at anybody outside of the mansion-grounds, because I knew if they shot they would certainly come in. I thought the temptation was to draw them out there and create a disturbance. We would not get in any fuss that way while I had charge.

They sent arms out when the militia were organized last year, and when they first commenced. Just before they first commenced fussing, General Packer told me to go and get all the guns outside, and I suppose I got fifty-two or fifty-three guns from the colored companies. The white companies would not give up theirs at all. I got them in, and then they came up, and some six or eight colored men ran up-stairs very rapidly where I was keeping the guns, and said they wanted some guns, and I asked what was the matter? And they says: "They are killing some colored people at Clinton and fighting, and the whole town of white men are armed." Says I, "Boys, it will do no good at all for six or eight to come here to get these guns. What would six or eight men do in this town, and the whole town armed?" Says I, "You cannot get these guns." General Packer said then if they wanted those guns to go to Governor Ames, and if he said so they could get them.

THE GOVERNOR REFUSES TO ARM COLORED MEN.

The boys went down to Governor Ames, and he told them they could not get those guns; and he then sent word to me immediately to hire ten men, in a great hurry, and don't let anybody have those guns.

They told me I was sacrificing my life; for men said after I had guarded these guns they were going to kill me, but they did not do it. I staid there that night, and Saturday night, and until Sunday, and guarded those guns.

WHITE MEN DEMAND THE ARMS.

On Sunday night a lot of young men, citizens of the town; they came to the capitol grounds and wanted to demand those guns, and the governor sent me word that I was to let nobody come up-stairs where the guns were, black or white.

I loaded, I suppose, forty or fifty with those ten men up there. I told them to take their stands at the head of the steps and let nobody up there. These gentlemen from town were on the capitol ground, but I let nobody come up-stairs to the guns, but would not arrest anybody inside. But between one and two o'clock, between twelve and one o'clock, there came up a wagon, I suppose—I did not go there—a wagon with two or four mules, and they drove up in front of the capitol, and there hallooed out to send them down a list of the guard I had up there. I told them if they wanted a list of those guards they would have to apply to General Packer. They asked me to send a list. I said I would not do it; it was against orders. If they had known, there would probably have been trouble. They asked how many men had I got, and I said I supposed twenty-five or thirty. That was about an even number with what they had, and they wanted to get a chance to take the guns; but they did not see any chance, and they sent the wagon off. The next morning—I have lived here a good while, I suppose 43 years old—I have lived here about sixteen years, and had a good recommendation from the citizens and everybody—the next morning a young gentleman said to me: "Field?" I said, "Sir;" he says, "Won't you go out and take a drink?" He says, "You are a shrewd old man, ain't you?" I says, "Yes." Says he, "Why did not you tell me last night how many men you had?" "The reason was, I did not want a disturbance. I thought if I told you that I had twenty-five or thirty men, you would not attack us; somebody would have been killed." They took it all very well then, and did not have much more to say.

Q. All these men that came there that night were white men with the wagon?—A. Yes, sir; they were white men.

Q. Do you know the names of any of them?—A. I could not tell you the names of them. The wagon came there—a good many citizens and young men there of the city. They came into the capitol and shot off once or twice, and I looked down—they were below me—and asked, "What does that mean? I thought you gentlemen promised the governor you would not come here and shoot in this capitol;" and told him not to come in here at all. If he wanted, he could come to the basement of the capitol, "but you cannot come up-stairs. It is not right to shoot here." Then they said the guns went off accidentally. I says, "That don't look right; we don't want a disturbance. I don't think that is right, to shoot in this capitol."

By Mr. BAYARD:

Q. Were you employed as a guard at the governor's mansion when the guard was kept there?—A. I was not employed for that business only, sir.

Q. Were you there with Polk Smith?—A. Polk Smith was there. I had him employed with me about four or five weeks.

Q. Were you there every night that Polk Smith was there?—A. I did not stand with Polk Smith all the time.

Q. Were you there every night?—A. I would only send out two men at a time. I believe I had about six men.

Q. You were captain of the guard?—A. Yes, sir. The men would go out frequently. One night a young man had got into the mansion, and Governer Ames found it out himself.

Q. Who is the mayor of Jackson? Who was the mayor in the fall of 1875?—A. Mr. McGill.

Q. What is his full name?—A. John McGill.

Q. Were there any police in Jackson?—A. Yes, sir.

Q. Do you know whether Ames ever made any complaint to the mayor of the disturbance of his house?—A. I really don't know, sir. I stated it myself. I do not know whether Ames did or not.

Q. When you were there did ever know a shot to strike the house?—A. I heard it strike upon the top of the house. I heard it strike the tin gutter, or something.

Q. How far off did these men stand that shot at the house?—A. They were outside of the mansion; they did not come inside of the grounds at all. They shot outside his place.

Q. Outside the fence?—A. Yes, sir. They did not come into the yard to shoot. They shot from the outside, from the street.

Q. How far is the fence from the mansion?—A. I could not really judge. You can judge from seeing the fence there the distance.

Q. When I ask you a question, please answer it.—A. I cannot tell the exact distance.

Q. Do you know the distance?—A. No, sir; I do not know the distance. I know it was in gunshot from the street, by the shot coming in there.

FINDS MUSKET-CARTRIDGES.

Q. What were the weapons used?—A. Well, sir, I went out there the next morning—I did not see the guns, and I went out there the next morning and got some of the same cartridges which they fired. Some of the cartridges were different kinds, and I picked up at least ten or fifteen at the back gate where the shooting was, and some whole ones. The most had been shot.

Q. Were they musket-cartridges?—A. Yes, sir.

Q. Fired from the street around the mansion?—A. Yes, sir.

Q. Did you ever see a mark on that house, of a bullet?—A. I never saw a mark on the house.

Q. Where did you see a mark?—A. On the oak tree that stood right ranging with the governor's room.

Q. Did you ever see a mark on the house?—A. No, sir.

Q. Has there ever been any glass broken by this firing?—A. I did not hear there was while I was there.

Q. Did this firing break any windows?—A. No, sir; I do not know that any firing ever broke in the windows when I was stationed there.

D. C. CRAWFORD—HINDS COUNTY.

JACKSON, MISS., *June* 20, 1876.

DANIEL C. CRAWFORD (colored) sworn and examined.

By the CHAIRMAN:

Question. What is your full name?—Answer. D. C. Crawford. I live in Jackson, Miss.

Q. How long have you lived in Jackson?—A. The 4th of this May gone I lived here, with the exception of six months waiting on my young boss, eighteen years.

Q. Were you at the Clinton riot?—A. I was.

Q. Did you go from Jackson to Clinton that morning?—A. Yes, sir; I got on the train that morning and went down to the barbecue.

DID NOT LIKE THE APPEARANCE OF THE WHITE MEN.

Q. Now, you may tell what you saw at Clinton that day.—A. I reckon the train arrove at Clinton about 10 o'clock that morning. When I got to the ground there was at least five or six hundred colored men—clubs. They have clubs on horses. They marched around the place, about the vicinity of the barbecue, for about an hour and a half, and then they returned back to the place where they were to stop. All dismounted and got off their horses. There was a large elevated place there to speak, and the first one on the stand was Judge Johnston. Judge Johnston was honored with a kind of a shout, as they generally give when any one goes to speak, and Judge Johnston, I reckon, spoke for an hour and a half, as near as I can remember. During the time when he was speaking everything went on quiet. There was no disturbment, and everybody seemed to have a disposition to keep very peaceable, white and black; they appeared to do so. I should have said I met some young men from Raymond—white men; one of them that I knew when I was a boy; used to play with him on the creek down there at Raymond. I spoke to him, and said, "How do you do, Sivley;" and he appeared very grum at that time; did not speak. I told Caldwell, I said, "Charley, this looks bad. Those four young men—the two Sivleys I know; one I know well, (I took it to be him,) and these two Neils—these men, I think they must be that committee." Caldwell says, "O, no; I reckon not." Directly there were six more young men came upon the ground. All seemed to be together pretty much all the time—not separated long; and I went to him again and said, "I do not think we ought to have a meeting here to-day; I feel like as if there is something wrong from these men's appearance. That man would not speak to me. It don't look right now; and they are all armed; and, see, they have these large ——." Says he, "O, no; I have instructed them not to bring any arms; I do not think there will be any fuss, because men not armed are not as apt to risk it as if armed. I have ordered them not to come here armed, and I do not think they will."

THE MEETING INTERRUPTED.

Judge Johnston spoke, and the colored people cheered him in some sentences of his speech; and when he was through, a man named Fisher was called on, and spoke. He had not got any further than congratulating Judge Johnston on his conservative speech—these were his express words: "I happily congratulate the speaker on his conservative tone. He has made a most remarkable conservative speech, and we have perfect order, and I hope the same orderly course will be maintained at every political meeting that is held this fall." At that time a young man standing close to me said, "Well, we would have peace if you would stop telling your damned lies." Judge Swann said, "Who was it made that remark?" He says, "It was me;" and another boy, by the tone of his voice pretty close, says, "That is my brother; what have you got to say about it?" That was said to Judge Swann. That is my recollection, that he says these words. Judge Swann then did not say any more; but a colored man, standing pretty close by—I believe

a police of the day—says, "Why could not"—I won't be positive about being a policeman; I think so—"While Judge Johnston was speaking nobody interfered, and why cannot Captain Fisher be treated in the same way"—words to that effect. These men wheeled and grabbed him in the collar, and they started down the hill. This white man had the colored man by the collar, and was making some harsh remarks to him.

HARGRAVES (COLORED) KILLED.

They got him down to the foot of the hill, which was not farther, I think, than from here back in the square there. It was a little incline there where the speaking was. I went down there, and Caldwell went, and Eugene Wilburn, and a young fellow by the name of Green Tapley, and we tried to stop the thing, and finally they concluded; they said there would be no fuss, and we started back; thought it was all over, and as we started back, driving the colored men back, the boys came up on the brow of the hill and commenced beating a drum. I do not think it was for anything else in the world but to draw them back. When I got nearly to the speaking I heard a pistol fired, and I looked around and saw a young man fall by the name of Lewis Hargraves, a colored man. He fell, and afterward—I did not see him—they told me he was shot in the forehead, and then the pistols commenced just like that, pretty nearly, [snapping his fingers rapidly,] and I broke and left as quick as I could. Judge Swann left about the same time, but he did not run as I did; and I ran down to the depot.

THREE WHITE MEN WITH LONG GUNS.

Q. How many pistols had been fired when you saw this young colored man fall?—A. I do not think—in an excitement like that, I could not be real positive—but I do not think more than one pistol fired. I would not swear positively more than one. I do not think more than one when he fell. I ran down to the depot, as it was terribly alarming. When I got to the depot some one (I do not remember who) told me, when I got there—he was an old acquaintance; I lived in Clinton in 1856, 1855; then I was small. I think it was Mr. Lewis told me I had better go away, and I put out and left. And when I got past Clinton, then I turned into the big road, and as I got into the big road I saw two colored men come down the hill, one with a mule and one with a horse. I was walking then on the big road. "Good God, don't you see those three white men coming behind you with long guns?" I laughed. I thought that they were chaffering me; and I looked back and saw them coming over this rise, and as I started I saw the faces of white men sure enough. I jumped over the fence, and ran across about 100 or 110 yards; and when I got to the back fence, just as I jumped, I heard a noise of planks; they were trying to tear it down, and I ran then about two miles before I stopped, and took across the woods for home; and that was all I saw of the Clinton riot. And on Sunday, about 3 o'clock, as well as I now remember, I was there, stiff and sore from that run; and I laid up all day in the house.

ALARM AMONG THE BLACKS.

I went out back of the capitol about 3 o'clock, and concluded to go over to the capitol and get a drink of cool water; and as I got into the capitol yard, I saw coming up the street, with their rough clothes, I should think thirty or forty of our people, and I sprung right off then and went down the Capitol street, and I sent a little boy to tell Green Tapley to come up there. And I started down, and when I got a little piece directly I met him. I said, "Green, what is the matter there;

they say they are shooting everything in the country, and they cannot stay there?" I says, "What can we do? It looks like judgment." He says, "I do not know what to do. I tell you: Let us go and see the best citizens of this town, and if we cannot prevail with them to go and stop this thing, we had just as well leave here ourselves." And he says, "Well, let us go down and see Captain Leake, the marshal," and we started down to see him; and when I got down nearly to his house I met Mr. Frank Johnston. I says to him, "Mr. Johnston, there is terrible distress in this town." He says, "What is the matter?" I says, "These men there in the country are murdering the boys. They say they are shooting at them in the country." I says, "There must be something wrong or they would not come here this way." He says, "Well, I do not reckon there is anything wrong going on here in town." I says, "I am not afraid of anybody here, but the excitement here, and the colored people coming in here, it may arouse the suspicion of some who would like to have a little fuss—shooting—and they may start it." He says, "What can we do?" I says, "I will tell you what. You know the colored people of this town well, and you know they do not want any trouble. I can speak for the colored people of the country, and I am satisfied, especially the colored people of the town, that they do not want any fuss. They have been as true to the white people as any people living." He says, "I know that. Look at our fire-companies here. They have been first and foremost in putting out fires. I tell you the colored people don't want to get up any fuss." He says, "That is so; I believe the colored people of this town to be all right." Says I, "You get the best citizens of the town, and let the best citizens guarantee the colored people that the white people don't want to get up a fuss, and won't let anybody else, and me and Tapley will guarantee that the colored people will not make one." He says, "If you will give that guarantee, I am sure I will do the same by the white people." He says, "We do not want any fuss, but if the colored people want one, I tell you we are ready."

Q. Who was this, Captain Frank Johnston?—A. Yes, sir. These are his words: "We don't want any fuss, and no good white people don't." I says, "I do not believe they do." "But if the colored people wants a difficulty, I tell you they can get it. We are prepared. I know that, and it will be expensive for the colored people." Says I, "We have no temptation to try to make a fuss. They are disorganized so far as arms are concerned. They are not armed."

THE MEETING AT THE BANK.

Well, in about half an hour, me and Tapley were sent for to meet at the bank. There was an agreement made in the bank to send out the sheriff and Captain Johnson with a posse.

Now, at the time, I thought it would be dangerous for the sheriff to take a posse on account of what had been done, and from what I had seen at Clinton. I said, "Gentlemen, it won't do to send a posse of colored men; if you send them they will fire on them. The people there are armed." He says, "What shall we do?" "I tell you: Send Captain Johnson and some of the best white citizens with the sheriff and Deputy Taylor, and let them take a posse of white men and look to this thing. I have confidence to believe that the sheriff and Colonel Taylor are honorable gentlemen, though they are not republicans. I do not care about that. Let them go there and make a report according to the state of things as they find them." And we went off feeling pretty well satisfied that they would come back and bring a report. They went, and they came back in the night some time.

They reported that they saw nothing. The sheriff refused to go, was afraid to go, or did not go, at any rate, and Mr. Stell did not go. Colonel Taylor headed the posse. They said there was nothing seen; but, for days after that—I judge, according to my memory, it was at least three or four days—the colored people would lodge up here, and it was impossible to get them out. They were afraid to leave town. They could hear of it; and in fact there was some true rumors of men being killed. There was a school-teacher—I never saw the corpse, but everybody, democrat and republican, said it was true that he was killed a few days after that. Another fellow by the name of Calvin Johnson. He was here at least a week. I saw him and Mr. Henderson up at the depot at the crossing, and Henderson was persuading him to go home; and after Henderson went he says to me, "Why, I could not trust my bones out there; I do not think I ought to go." He went, anyhow. He went that evening, and the next morning his body was found a corpse at the bridge, about two miles from here. I never knew who killed him.

Q. He was a colored man?—A. Yes, sir. That was all following, and a very few days after the riot at Clinton. I felt, myself, pretty critical, but then I staid at home. I thought if I was going I might as well go then as any time. I staid here, and not a gun fired in town. There was guns fired, but not at anybody around the capitol here.

Q. What was the name of the young colored man who was first killed at Clinton?—A. Lewis Hargraves.

THERE IS GOING TO BE TROUBLE HERE.

Q. Had you had any conversation with him that day?—A. About an hour before the first occurrence Mr. Hargraves and I were sitting down talking together. We were sitting down talking about one another's families, about how we had married, and one thing and another, and then he got up, and when he got up I asked, "Where are you going?" and he says, "Down there;" and we went around there, and I sat down with him. We conversed then about those young men having these pistols. I said I thought they came down here to create a disturbance, and Caldwell had said no one was to be armed. He says, "I am not armed myself; I am not afraid of anybody bothering me." I says, "Lewis, there is going to be trouble here." He says, "I do not think so." He went down ahead of us when we went down to quiet this fuss, and he was the first man that got shot.

Q. What was the name of the young man who was seized by Sivley?—A. I do not remember his name; he was a small black fellow, about 5 feet 8 or 10 inches.

Q. You have detailed a conversation you had with Charles Caldwell, and you stated that that was the committee that was to be there. What do you mean by that?—A. I meant that was Harper's committee.

THE WHITE COMMITTEE.

Q. What did you know about his committee?—A. If my memory serves me right, I think it was that day I saw in the Raymond Gazette something about a committee; I do not remember the exact words. According to that article in the Raymond Gazette, there will be a committee of ten men to visit every radical meeting or republican meeting—any republican meeting, and if the speakers say anything not true, to give him the lie, or something of that kind. And when I saw these gentlemen, knowing them to be from the vicinity of Raymond, I then said that was the committee, and I wanted to go home on the 10 o'clock train; and I stated that if there was a joint discussion it might create

a difficulty, and these men came to have it I thought. Sivley and the Neils, I think, all came from Raymond. Mr. Thompson, I think, lived at Raymond. I saw three I did not know, and I never did find out whether they lived in Raymond or not.

Q. Were they armed?—A. Yes, sir.

Q. Where did they take their position in the meeting?—A. They took their position almost entirely—that is, most of the time they took their position—around the square. That was their position.

Q. How near together were they?—A. I do not think, for the most of the time that I noticed them very close, that they were separated for ten minutes; at least a majority of them were together at all times. Just before the fuss occurred, while Judge Johnston was speaking, Captain Leake got into a conversation with Thompson about the Yazoo affair; I heard Captain Leake tell him, which first drew my attention, "This is what I heard:" Says Thompson, "I do not care what you heard, I know better." Finally, they kept talking, and directly he said, "I do not care a God damn what you heard," and looked at him very crabbed. Captain Leake being considered a little timid, I thought to myself he was getting into a rough place, and I got up close to him and asked him to hush, and not say anything more, as I suspected something wrong. He repeated this remark to him twice, standing at the same time so, [indicating.] In both pockets he had a pistol. He had on a long duster, and you could see the shape of the pistols. And Captain Leake stood up pretty well, and says to him, "Well, I generally report these things as they come to me." Captain Leake walked off then; and soon after, the disturbance took place.

Judge Johnston told me afterward he was never listened to more attentively in all the days of his life than that day. A gentleman told me that he talked near him, that if that fuss had not occurred he expected he would have made about 500 votes there that day; and he did make pretty near a republican speech.

POLK SMITH—HINDS COUNTY.

JACKSON, MISS., *June* 20, 1876.

POLK SMITH (colored) sworn and examined.

By the CHAIRMAN:

PERSONAL STATEMENT.

Question. What is your name?—Answer. Polk Smith.

Q. Where do you live?—A. Here in Jackson.

Q. Were you at any time last fall about the governor's mansion—last year?—A. Yes, sir; about 30 or 31 nights.

Q. When was that?—A. In the month that the election would come off.

Q. Before the election, or after?—A. Before the election.

Q. You were there 30 or 31 days?—A. Yes, sir.

Q. What did you do?—A. I was guarding.

Q. Were you there at night?—A. Yes, sir; at night only.

FIRING ON THE GOVERNOR'S HOUSE TWO OR THREE TIMES A WEEK.

Q. What occurred when you were there; any thing unusual?—A. Yes, sir; the time that I was there, I went on watch at 9 o'clock every night, and from 10 until about 3 o'clock in the morning. They were firing most terribly about between two and three nights every week, and finally

about a week before the election came off, it got terrible—most outrageous. And the night before the election it was just the same as war. They had a torchlight procession here. I thought once they were going to come in, and attack us all and kill us, from the firing. I was there, standing very near the fence, about 2 o'clock at night, and I heard some one talking in the corner—the southwest corner—and I walked out that way, and heard some one ask, "Which room did Ames occupy?" and some one replied to the other, "One of the lower rooms there;" and he said, no, he did not; he occupies the room up stairs—the southwest room; and they commenced on it, and for about half an hour it was terrible. They drove me in from the fence, and I went into the door that goes down the cellar; and while I was standing there a shot fired struck the gutter, about three feet over my head. I stood under—inside. Went on there until about 4 o'clock in the morning. I think there was one shot right somewhere near the window, and the governor rose up and asked, "Where did that shot come from?" and said, "From off the street."

And one night while they were there, I was standing in front of the mansion, and saw some one standing over near the gate, and walk up to the gate very easy, and open the gate, and step inside, and made about three steps, and he stopped. And then he made three more steps, and I did not halt him; but I raised my gun to shoot him, and the man who was along with me, Field Foster, said, "No, don't shoot; see what he was going to do;" and with that he went outside.

By Mr. BAYARD:

Q. Have you seen in the house the marks of bullets in the walls?—A. I did not see them, sir.

Q. What was the gutter that you say was struck over your head?—A. That is for the water.

Q. Did it not make a mark?—A. I could not see it. I was only there at night.

Q. Were you never there in the day-time?—A. No, sir.

Q. If the mark was there, it is there yet?—A. I suppose so, sir.

Q. How long was that firing kept up that time you speak of?—A. The firing continued there fully half an hour.

Q. Where were the men standing?—A. Standing near the southeast corner.

Q. And you staid there and saw them for half an hour firing right at the window?—A. They were firing away a half-hour. They did not fire all the time.

Q. What were the weapons?—A. It seemed to be a gun, and sometimes with a pistol. I could tell the report of the gun.

Q. Did they fire right at the window?—A. The firing came and sometimes the shot would go over, and sometimes strike the trees in the yard. I could hear the bullet, and heard it strike.

Q. They fired how long?—A. For half an hour.

Q. How far off from the window did these men stand who were firing?—A. About as far as from here to the store across the street.

Q. How far would you call that?—A. About a hundred yards; I reckon a little over.

Q. How far were you from these men at first?—A. When they first started, I was standing pretty close. I went down the yard, and when they commenced firing I went back to the house.

Q. How many men were there?—A. I do not know how many. There seemed to be like about ten or fifteen.

Q. How far were you from them when they began firing?—A. About as far as the ticket-office—a little farther, 75 or 50 yards.

Q. That far from them?—A. Yes, sir.

Q. You heard them talking to each other at that distance?—A. Yes, sir.

Q. How many shots do you suppose they fired?—A. I have no idea; I could not state.

Q. You say that was kept up for half an hour?—A. About, I suppose, for half an hour, firing in the yard in the direction of the window.

Q. Did it break any windows?—A. It did not to my knowledge.

Q. Did it make any marks?—There were some marks there on the trees in the yard.

Q. Any marks on the house?—A. I told you I only occupied it at night, and I do not know.

MRS. CALDWELL—HINDS COUNTY.

JACKSON, MISS., *June* 20, 1876.

Mrs. MARGARET ANN CALDWELL (colored) sworn and examined.

By the CHAIRMAN:

THE WIDOW OF SENATOR CALDWELL.

Question. What is your name?—Answer. Margaret Ann Caldwell.

Q. Where do you live?—A. In Clinton, Hinds County.

Q. Was Mr. Caldwell, formerly senator, your husband?—A. Yes, sir.

Q. What was his first name?—A. Charles.

Q. When did he die?—A. Thursday night, in the Christmas. Him and his brother was killed.

Q. You may state to the committee what you know of his death.—A. I know when he left the house on the Thursday evening, in the Christmas, between dark and sundown. In the beginning of the day he was out on his fox-chase all day. The first commencement was an insult passed on his nephew, and he came out home.

STORY OF HIS ASSASSINATION.

Q. Who was that?—A. David Washington; he is in Washington City now. He is there in business; watchman in the Treasury Department now; has been ever since October, I think. So they picked a russ; Waddy Rice, in George Washington's blacksmith shop, in Clinton. They commenced talking this way: I think David said they asked, "How many did he kill on the day of the Moss Hill riot? Who did he shoot?" David said that he did not know as he shot anybody; said he didn't know that he shot anybody. They told him, he said, "he came there to kill the white people, and if he did, to do his work in the day, and not to be seeking their lives at night." David came immediately back to my house. His uncle was at the fox-chase. I said, "Don't go out any more. Probably they are trying to get up a fuss here."

His uncle sent him down town for something. He staid in the house until he came.

That was about four o'clock in the evening, and some one had told about the fuss picked with his nephew, and he walked down town to see about it, I suppose. He was down town a half hour, and came back and eat his dinner, and just between dark and sundown he goes back down town again. He went down town knocking about down

there. I do not know what he was doing down there, until just nearly dusk, and a man, Madison Bell, a colored man, came and says, "Mrs. Caldwell you had better go down and see about Mr. Caldwell, I think the white folks will kill him; they are getting their guns and pistols, and you had better go and get your husband away from town."

I did not go myself; I did not want to go myself, but went to Professor Bell and said would he go and get him. Mr. Bell went, and he never came back at all until he came back under arrest.

I was at my room until just nearly dark.

The moon was quite young, and the chapel bell rang.

We live right by it. I knew the minute the bell tolled what it all meant.

And the young men that lived right across the street, when the bell tolled, they rushed right out; they went through the door and some slid down the window and over they sprang; some went over the fence. They all ran to the chapel and got their guns. There was 150 guns there to my own knowing; had been there since the riot, at the Baptist chapel. They all got their guns.

I went down town, and then all got ahead everywhere I went; and some of them wanted to know who I was, but I hid my face as well as I could. I just said "woman" and did not tell who I was.

As I got to town I went to go into Mr. Chilton's store and every store was closed just that quick, for it was early, about 6 o'clock. All the other stores were closed. Chilton's was lit up by a big chandelier, and as I went over the lumber-yard I saw a dead man. I stumbled over him, and I looked at him, but I did not know who it was, and I went into Chilton's, and as I put my foot up on the store steps, standing as close, maybe a few feet, (everything was engaged in it that day,) there was Judge Cabinis, who was a particular friend of my husband; a particular friend to him. He was standing in the center with a gun with a blue strap, in the center of the jam; and as I went to go in they cussed me and threatened to hurt me, and "make it damned hot for me," and the judge among the balance; but he said he didn't know me afterward. And they all stood; nobody would let me go in; they all stood there with their guns.

I know there was two dead men there, but I did not think it was my husband at the time.

I stood right there, and as I stood they said to me, "If you don't go away they would make it very damned hot for me;" and I did not say anything, and walked off, and walked right over the dead man. He was right in my path where I found the body. He was lying broadside on the street. I did not know who he was. I then stooped and tried to see who he was, and they were cursing at me to get out of the town, to get out.

Then I went up, and there was Mrs. Bates across the street, my next-door neighbor. I seed her little girl come up by us and she said, "Aunt Ann, did you see my uncle here?" I said, "I did not. I saw a dead body on the street; I did not see who he was." She said, "What in the world is going on down town?" Says I, "I don't know, only killing people there." She says, "Aaron Bates's hand is shot all to pieces, and Dr. Bangs is killed." He was not killed, but was shot in the leg; nobody killed but my husband and brother.

I went on over to the house, and went up stairs and back to my room and laid down a widow.

After I had been home I reckon three-quarters of an hour, nearly an hour, Parson Nelson came up—Preacher Nelson—and he called me. I was

away up-stairs. He called several times, and I heard him call each time. He called three or four times, and says: "Answer; don't be afraid; nobody will hurt you." He says "Don't be afraid; answer me;" and after I had made up my mind to answer, I answered him what he wanted, and he said, "I have come to tell you the news, and it is sad news to you. Nobody told me to come, but I come up to tell you." I didn't say anything. "Your husband is dead," he said; "he is killed, and your brother, too, Sam."

I never said anything for a good while. He told me nobody would hurt me then; and when I did speak, says I, "Mr. Nelson, why did they kill him?" He says, "I don't know anything about it." He said just those words: "I don't know anything about it." He says, after that, "Have you any men folks about the place?" I says, "No." He says: "You shan't be hurt; don't be afraid of us; you shan't be hurt."

I never said anything whatever. He went off.

Sam's wife was there at the same time with three little children. Of course it raised great excitement.

After a length of time, Professor Hillman, of the Institute, the young ladies' school or college, he brought the bodies to the house; brought up my husband, him and Frank Martin. Professor Hillman and Mr. Nelson had charge of the dead bodies, and they brought them to the house; and when they brought them, they carried them in the bed-room, both of them, and put them there; they seed to having them laid out, and fixed up, and all that.

Mr. Nelson said in my presence, I listened at him, he said, "A braver life never had died than Charley Caldwell. He never saw a man died with a manlier spirit in his life."

He told me he had brought him out of the cellar.

You see when they had shot Sam, his brother, it was him who was lying there on the street. They shot him right through his head, off of his horse, when he was coming in from the country, and he fell on the street. He was the man I stumbled over twice. I did not know who he was. When they shot him, they said that they shot him for fear he would go out of town and bring in other people and raise a fuss. He found out, I suppose, that they had his brother in the cellar, so he just lay there dead; he that was never known to shoot a gun or pistol in his life—never knew how.

Mr. Nelson said that Buck Cabell carried him into the cellar; persuaded him to go out and drink; insisted upon his taking a drink with him, and him and Buck Cabell never knowed anything against each other in his life; never had no hard words. My husband told him no, he didn't want any Christmas. He said, "You must take a drink with me," and entreated him, and said, "You must take a drink." He then took him by the arm and told him to drink for a Christmas treat; that he must drink, and carried him into Chilton's cellar, and they jingled the glasses, and at the tap of the glasses, and while each one held the glass, while they were taking the glasses, somebody shot right through the back from the outside of the gate window, and he fell to the ground.

As they struck their glasses, that was the signal to shoot. They had him in the cellar, and shot him right there, and he fell on the ground.

When he was first shot, he called for Judge Cabinis, and called for Mr. Chilton; I don't know who else. They were all around, and nobody went to his relief; all them men standing around with their guns. Nobody went to the cellar, and he called for Preacher Nelson, called for him, and Preacher Nelson said that when he went to the cellar-door he

was afraid to go in, and called to him two or three times, "Don't shoot me," and Charles said, "Come in," he wouldn't hurt him, and "take him out of the cellar;" that he wanted to die in the open air, and did not want to die like a dog closed up.

When they taken him out, he was in a manner dead, just from that one shot; and they brings him out then, and he only asked one question, so Parson Nelson told me—to take him home and let him see his wife before he died; that he could not live long.

It was only a few steps to my house, and they would not do it, and some said this.

Nelson carried him to the middle of the street, and the men all hallooed, "we will save him while we've got him; dead men tell no tales." Preacher Nelson told me so. That is what they all cried, "We'll save him while we got him; dead men tell no tales."

Whether he stood up right there in the street while they riddled him with thirty or forty of their loads, of course, I do not know, but they shot him all that many times when he was in a manner dead. All those balls went in him.

I understood that a young gentleman told that they shot him as he lay on the ground until they turned him over. He said so. I did not hear him.

Mr. Nelson said when he asked them to let him see me they told him no, and he then said, taking both sides of his coat and bringing them up this way so, he said, "Remember when you kill me you kill a gentleman and a brave man. Never say you killed a coward. I want you to remember it when I am gone."

Nelson told me that, and he said that he never begged them, and that he never told them, but to see how a brave man could die.

They can find no cause; but some said they killed him because he carried the militia to Edwards, and they meant to kill him for that. The time the guns were sent there he was captain under Governor Ames, and they said they killed him for that; for obeying Governor Ames.

After the bodies were brought to my house, Professor Hillman and Martin all staid until one o'clock, and then at one o'clock the train came from Vicksburgh with the "Murdocs." They all marched up to my house and went into where the two dead bodies laid, and they cursed them, those dead bodies,there, and they danced and threw open the window, and sung all their songs, and challenged the dead body to get up and meet them, and they carried on there like a parcel of wild Indians over those dead bodies, these Vicksburgh "Murdocs." Just one or two colored folks were setting up in the room, and they carried on all that in my presence, danced and sung and done anything they could. Some said they even struck them; but I heard them curse and challenge them to get up and fight. The Vicksburgh Murdocs done that that night. Then they said they could not stay any longer.

Then the day after that Judge Cabannis asked me was there anything he could do, and I told him, I said, "Judge, you have already done too much for me." I told him he had murdered my husband, and I didn't want any of his friendship. Those were the words I told him the next day, and he swore he did not know me that time; but I saw Judge Cabinis with this crowd that killed my husband. I saw him right in the midst, and then he made his excuse. He said he did everything he could for Charles, and that he was crazy. Well, they could not tell anything he had done.

They said Aaron Page was shot during the fuss.

In the league that was held here in that town, that day my husband was buried, they all said that he did not shoot him. They said that Aaron Page was shot accidentally; that my husband did not kill him. All started up from picking a fuss with his nephew.

As for any other cause I never knew; but only they intended to kill him because for carrying the militia to Edwards; for obeying Governor Ames; and that was all they had against him.

THE MODOCS AFTER THE CLINTON RIOT.

At the same time, when they had the Moss Hill riot, the day of the dinner in September, when they came over that day, they telegraphed for the Vicksburgh "Murdocs" to come out, and they came out at dark, and when they did come, about fifty came out to my house that night; and they were breaking the locks open on doors and trunks; whenever they would find it closed they would break the locks. And they taken from the house what guns they could find, and plundered and robbed the house. The captain of the Vicksburgh "Murdocs," his name is Tinney.

Q. What day was that?—A. The day of the Moss Hill riot, in September.

THREATS AGAINST MR. CALDWELL AFTER THE CLINTON RIOT.

Q. When; the Clinton riot?—A. The 4th day of September. They came out, and Tinney staid there, and at daybreak they commenced to go, and he, among others, told me to tell my husband that the Clinton people sent for him to kill him, and he named them who they were to kill—all the leaders especially, and he says, "Tell him when I saw him"—he was gone that night; he fled to Jackson that evening with all the rest—"we are going to kill him if it is two years, or one year, or six; no difference; we are going to kill him anyhow. We have orders to kill him, and we are going to do it, because he belongs to this republican party, and sticks up for these negroes." Says he, "We are going to have the South back in our own charge, and no man that sticks by the republican party, and any man that sticks by the republican party, and is a leader, he has got to die." He told me that; and that the southern people are going to have the South back to ourselves, and no damned northern people and no republican party; and if your husband don't join us he has got to die. Tell him I said so." I told him what he said. I did not know Tinney at the time; and when I saw my husband enter I told him, and he knew him from what I said, and he saw him afterward and told him what I said. He just said that he said it for devilment. They carried on there until the next morning, one crowd after another. I had two wounded men. I brought them off the Moss Hill battle-field, and these men treated me very cruelly, and threatened to kill them, but they did not happen to kill them.

CLINTON RIOT.

Next morning, before sun up, they went to a house where there was an old black man, a feeble old man, named Bob Beasly, and they shot him all to pieces. And they went to Mr. Willis's and took out a man, named Gamaliel Brown, and shot him all to pieces. It was early in the morning; and they goes out to Sam. Jackson's, president of the club, and they shot him all to pieces. He hadn't even time to put on his clothes. And they went out to Alfred Hasting; Alfred saw them coming. And this was before sun up.

Q. This morning after the Clinton riot?—A. On the morning of the 5th, and they shot Alfred Hastings all to pieces, another man named Ben. Jackson, and then they goes out and shoots one or two further up

on the Madison road; I don't know exactly; the name of one was Lewis Russell. He was shot, and Moses Hill. They were around that morning killing people before breakfast. I saw a young man from Vicksburgh that I knew, and I asked him what it all meant.

Q. Who was he?—A. Dr. Hardesty's son; and I asked him what did it mean, their killing black people that day? He says, "You all had a big dinner yesterday, and paraded around with your drums and flags. That was impudence to the white people. You have no right to do it. You have got to leave these damned negroes; leave them and come on to our side. You have got to join the democratic party. We are going to kill all the negroes. The negro men shall not live." And they didn't live; for every man they found they killed that morning, and did not allow any one to escape them, so he said. So he told me all they intended to do about the colored people for having their dinner and parading there, and having their banners; and intended to kill the white republicans the same. Didn't intend to leave any one alive they could catch, and they did try to get hold of them, and went down on Monday morning to kill the school-teacher down there, Haffa, but he escaped. Jo Stevens and his son Albert Stevens, I believe, was his name—they just murdered them right on through. These people staid there at the store and plundered it, and talked that they intended to kill them until they got satisfaction for three white people that was killed in that battle here. I can show who was the first white man that started the riot; and I can show you I have got his coat and pants, and I can show you how they shot him. They blamed all on my husband; and I asked what they killed Sam for; asked Dr. Alexander. They said they killed him because they were afraid he would tell about killing his brother. They killed my husband for obeying Governor Ames's orders, and they cannot find anything he did. He didn't do anything to be killed for. Then they have got his pistols there and they won't give them to me. I have asked I don't know how many times.

G. H. TAPLEY—HINDS COUNTY.

JACKSON, MISS., *June* 21, 1876.

GREEN H. TAPLEY (colored) sworn and examined.

By the CHAIRMAN:

Question. What is your full name?—Answer. Green H. Tapley.

Q. Where do you live?—A. Here in Jackson.

Q. How long have you been here?—A. I was born and raised here.

Q. How old are you?—A. I will be twenty-six years old next September.

Q. What is your business?—A. I am a barber by trade.

"COME OUT, GOVERNOR AMES!"

Q. Do you know anything about any shots being fired at the executive mansion last year? State what you know.—A. Some time last fall, I think along in October, at the same time they had a large democratic torch-light meeting, barbecue, &c., I saw a crowd come up the street. I was standing off near the Clarion office corner, in company with Field Foster, I think. I saw a wagon come up, and what attracted me, I heard two or three shots, and looked around and saw a wagon coming on almost directly opposite the mansion, loaded with eight or ten men, probably. I saw three or four shots fired at the mansion over into the

grounds, and they said "Come out, Governor Ames, you God damn son of a bitch!" The wagon was right in the street.

Q. How many men were in the wagon?—A. I looked, but they were all strangers except one; he was sitting beside the driver; I think it was Clarence Merritt, of Jackson, the only one I knew.

Q. You were there during the election-time?—A. Yes, sir.

Q. Did anything occur that seemed to you unusual?—A. Yes, sir; a pretty warm canvass.

Q. State what happened.—A. What I hadn't been in the habit of seeing; I was down at Clinton the time they had that riot there at the public meeting the 4th of September, something I had never seen before. They had a large public meeting there, and some whites came and started a disturbance, and several men were killed there. I suspicioned there was going to be some trouble about an hour before the meeting assembled. I was up in the town of Clinton, and the ground where they had the speaking was about a quarter of a mile from the town. I was up and down about an hour before the crowd got to the ground, and while assembling they had a large procession parading through Clinton. Most of the crowd came up on the other side, and I seen the clubs that were coming in there. I was in the street when they passed through. I noticed then that every store in Clinton was closed up. I saw an article in the Raymond Gazette in reference to a committee of democrats to be at all these public meetings. I saw a good many strange white men round Clinton. I knew a good many of the citizens, and inquired who they were, and they informed me they were some people from Raymond. Five or six of them were from Raymond, and I judged from that that this was a portion of this committee recommended by the Raymond Gazette. I saw all of them get out of the wagon, and after I came to the ground I saw them occasionally until just a few moments before the firing commenced. I was a little piece from the stand just before the firing commenced, and I heard the disturbance that had started up. Where the main crowd was was up a little ravine 30 or 40 yards. The ravine ran east and west, and in that ravine was some willow bushes—a little marsh. I was going up the ravine, and I saw there a crowd of some seven or eight or ten white men standing there, and one white man—they were talking there, and they said there was some disturbance and they were bringing him away.

SHOT A MAN THE FIRST SHOT.

Senator Caldwell came there and commenced talking with these men, and told them he didn't want to see a disturbance, and hoped they would have no fuss, but have peace and quietude there. The parties were all pleasant to him, and gave him every assurance that they would have no difficulty, and invited him down with them, and one of them put his hand on his shoulder. The man that was in the disturbance came raging out with a pistol in his hand, and the crowd of colored men rushed down to see what was the matter, and when the man got loose he shot a fellow, shot a man the first shot he fired, and from that the firing commenced, and that broke the meeting totally up. The colored people there were not scarcely any of them armed, and just all fled for their lives.

ARMS BY THE BOX.

Q. How was the canvass in Jackson; was there anything there?—A. The canvass was pretty warm here. I taken a little part in the canvass myself, and always have since 1868, and I never experienced such a warm time in my life anywhere. Up in town here, I think, from that

Clinton riot, they had arms come here by the box—those improved arms, Winchester and Whitney's rifles. I saw, I suppose, two or three hundred, were being distributed about. They would come up here to the stores in town, where the guns were carried, and they would carry them home all during the canvass. Pretty nearly one box would come during a week, and three boxes sometimes. I saw them, some of them, on the streets carrying them home.

Q. Who were the persons to whom these arms came—the persons who had them?—A. They were the citizens here generally in the town. Among the names I saw was Judge Johnston; he was one I recollect of. I could probably recall a good many others that I saw, but I didn't inquire much about it; I inquired what they were for. I knew they never intended those kind of arms to hunt with. I learned that there was one lot came to arm a company of citizens called the Richardson Scouts. I learned they were ordered here by Colonel Richardson, who had command of these men who had these arms, I think; making the expression they intended to carry this election peaceably if they could, forcibly if they must. That they were "tired of this ignorant nigger government—and radical thieving, carpet-bag, scallawag government," and such words like that—"didn't intend to stand it any longer, stood it to the bitter end."

Q. Do you know anything else that occurred here?—A. No, sir. I know I was getting messages myself daily that my life was threatened. I was pretty prominent with my club and done a good deal of canvassing in the country.

Q. What canvassing did you do, and what messages did you get?—A. I got messages that my friends told me they heard expressions made by democrats and white men on the streets at different places, that they intended to get me before the canvass was over; and my friends always advised me to leave here. I didn't do it. I was raised here, and I knew that they could not have anything against me excepting my politics, and I thought I might just as well remain here as well as anybody else. There was so many rumors that came to me that I got right smartly intimidated myself.

By Mr. BAYARD:

Q. Who, by name, personally threatened you in Jackson during the last canvass?—A. I could not name any one myself. I say messages came to me.

Q. Did anybody ever hurt you here during the last canvass?—A. No, sir; nobody ever hurt me. I didn't fear anybody, but from these messages I got here I got a little frightened and was not prepared to protect myself and staid away from home, there being so many rumors, about three or four nights directly after the Clinton riot.

Q. Did you have anybody to threaten you personally during the last canvass?—A. No, sir; in the canvass I did not.

Q. Where is your barber-shop?—A. I do not barber now; have not for two years. I was keeping the jail here then.

Q. What was your office?—A. I was State jailer.

Q. How long were you State jailer?—A. Two years.

Q. Up to what time?—A. Up to the 17th of last January.

Q. Who was the mayor of Jackson in 1875?—A. John McGill.

Q. Who elected him?—A. The republicans.

Q. He was the republican mayor?—A. Yes, sir; the republican candidate.

Q. Who is the mayor of the city now?—A. John McGill.

Q. He was the mayor elected by the republicans?—A. Yes, sir.

Q. By whom were the police of the city appointed?—A. They were appointed by the police committee.

Q. Who were the police committee?—A. Members of the board of aldermen of the city.

Q. How many compose the board of aldermen?—A. Six.

Q. Were they democrats or republicans?—A. I believe they were mixed; some were democrats on the board, I think.

Q. Who had the majority?—A. The republicans.

Q. They had the appointment of the police, who were responsible to the mayor of the town of Jackson?—A. Yes, sir.

Q. How many policemen were there in the town in 1875?—A. In 1875 the number averaged sometimes more and sometimes less. The regular force numbered, I think, six.

Q. The business of these policemen was to patrol the town at night and go about keeping peace?—A. Yes, sir; I presume so.

Q. How far were you when you saw this wagon on the street passing the governor's mansion?—A. I presume I was about a square and a little over. I was east of the Clarion office, standing near the cross-walk that crossed over the road at the Clarion office. That is just a square from the mansion.

Q. You mean the State mansion?—A. Yes, sir.

Q. Where was the wagon with the men in it?—A. At the time I saw it, it was coming right up Capitol street, and was almost directly opposite the mansion when I first observed it.

Q. That was, then, it took you one square to carry you to the mansion; then you had the distance of half the grounds in which the mansion stands. You were a square farther from the wagon?—A. Yes; at least a square, I think.

Q. At what time in the night was it, or was it in the day?—A. It was in the day, but I cannot recollect exactly the time; there was a great deal of excitement that day.

Q. Was it broad daylight?—A. Yes, sir.

Q. When this wagon came in, did you see the pistols fired?—A. Yes, sir; I saw the men when they fired them.

Q. How many men were in the wagon?—A. Probably eight or ten men. The wagon was loaded; they had the ordinary seats, and they were mounted on the driver's seat.

Q. It was drawn by what?—A. Mules.

Q. From eight to ten men, armed. What kind of people were they—rough people?—A. They looked pretty rough; that is, they seemed pretty boisterous.

"HOLLERING" AMES, COME OUT OF THERE!

Q. Could you hear what these men said at the distance of a square?—A. Yes, sir; I heard them very distinctly cursing. I heard them until they got up to where I was. I won't say directly cursing when they were right at the mansion, but they hollered out from the mansion up to where I was, hollering, "Ames, come out of there, you damn radical son of a bitch!"

Q. Did they keep up the hollering, after they passed the mansion, until they got up to you?—A. Yes, until they came to the side street, when they turned out of the side street.

Q. Did they fire any more after that?—A. Not that I seen; they went right on through to where their dinner was.

Q. What did they fire—what weapons?—A. Pistols, I am pretty well satisfied.

Q. You stated that you knew one person that was in that wagon?—A. Yes, sir.

Q. Who was that?—A. Mr. Clarence Merritt.

Q. How old is he?—A. I could not tell exactly his age. I think, about twenty-two or twenty-three years of age. A young man, raised here.

Q. Does he live here now?—A. I don't know; he is a printer, and is sometimes away. I don't know whether he is here now; I haven't seen him for some time.

Q. Were you ever employed as one of the guards at the governor's mansion?—A. No, sir; I was not.

Q. How many people were at the Clinton meeting—how many colored people assembled there?—A. Well, sir, I judge there must have been a total of 1,200 or 1,500; a large meeting.

Q. What was the size of this body of whites—these bodies of young men that you speak of?—A. Well, sir, there was a good many whites round there, but nothing of a crowd, that I seen, together. I think there was not exceeding ten or twelve.

Q. How many did you see together at once—you say all came in one wagon?—A. I saw a wagon come to town with white men from Raymond; I think twelve or thirteen in that wagon. Judge Cabiness was one in the wagon that I knew.

Q. Is he from Jackson?—A. From Clinton, he is.

Q. Were these men in that wagon the ones you afterward saw creating the disturbance?—A. No, not the same men; because these men were chiefly strangers to me in the wagon, not the same ones.

Q. Do you mean to say that any person with Judge Cabiness was afterward engaged in the riot?—A. I cannot say that, because I didn't know the men.

Q. Who was this man whom you say his friends brought out of the meeting?—A. I didn't know him at all.

Q. You did not know him—never saw him before?—A. No, sir; not that I recollect of.

Q. Was there anything unusual in his appearance?—A. He seemed to be much excited at the time I saw him; he had a pistol, and was raging.

Q. How far away from him were you?—A. I was as far as from here to the ticket-office down at the depot.

Q. Were you ever any nearer than that to them that day?—A. I was nearer them at the time I saw this disturbance, and went up there at the time he got out that pistol and fired.

Q. You don't know who he was?—A. No, sir.

Q. Was he intoxicated or sober?—A. I judge from the way he acted. I did not think he was intoxicated; he seemed to be excited somewhat.

Q. Did he seem to be under the influence of liquor?—A. I could not say whether it was excitement, or whether he was under the influence of liquor; he was pretty boisterous—from the language he used, and his manner, I really did not consider him intoxicated.

Q. Did these men seem to be desirous to get him off and keep him quiet?—A. Yes, sir.

MARION GRAY SHOT.

Q. What did Caldwell and others go to him for?—A. Mr. Caldwell went to them to talk with them and try to qualify him, but he would not be qualified. They invited him to go with them; he was trying to quiet it down. They invited Mr. Caldwell to come along, and one of the men put his hand on Caldwell's shoulder, and this man soon let loose with his pistol.

Q. Whom did he shoot?—A. A man by the name of Marion Gray, I think.

Q. Where was he?—A. Close to them.

Q. Was he the man whom he had met before?—A. No, sir; that man was coming in from another direction; he hadn't met him at all.

Q. He had had anything to do with it?—A. No, sir.

Q. How long did you stay there?—A. I staid there until the crowd was firing miscellaneously, and I got up and left. I didn't stay in that spot, but moved off out of danger and until the firing had ceased.

Q. How many white men did you see who were concerned in that fight, not the people you have described?—A. I could not say; there was so much firing, so tremendous, and so much smoke I could not see, could hardly distinguish whites and colored.

Q. How many men did you see that were hurt?—A. I saw one man that was killed, and I saw a little boy that was shot. I think I saw two others that were wounded.

Q. Were any of these white persons?—A. No, sir.

Q. You did not see any white persons that were hurt at all?—A. No, sir: I did not see any of them that were wounded. I don't think any of them were hurt right on the spot where the shooting commenced.

DENNIS McCOY—HINDS COUNTY.

JACKSON, MISS., *June* 21, 1876.

DENNIS MCCOY (colored) sworn and examined.

By Mr. CAMERON:

PERSONAL STATEMENT.

Q. Where do you live?—A. I live in Jackson at present.

Q. Were you at the Clinton riot last fall?—A. Yes, sir.

CAPTAIN FISHER THREATENED BY SIVLEY.

Q. You can go on and tell us what you saw and heard there.—A. I was there last year, and heard the speaking, I belive Mr. Johnston, and it went off very quiet. I was very close to him when he made his speech. Everybody appeared to be peaceable, and it went off peaceably so far as his speech. I heard them call for a gentleman named Mr. Fisher, and when they hallooed "Fisher!" the colored people there called "Fisher!" "Fisher!" At that time when they hollooed for him, he spoke and said he was glad to meet so many there, and to meet his friend Mr. Johnston. At that, a young man named Martin Sivley, who was in front of the stand, said, "Yes, God damn you, you have been with this party a long time, and God damn you, I will kill you." A colored man said "You listen to Judge Johnston and nobody didn't say anything, but kept quiet." He said, "Damn you, I will kill you;" and he and Mr. Neil took hold of him and they went on down the hill. There was some movement made down that way, and some of them said they didn't want to have a fuss; they started ahead and went down to the bottom. I had just got acquainted with Charles Caldwell; he got out of the stand and went down to quiet the fuss apparently. He says, "Mr. Sivley, we are just now about to open an institute here, and we would not have anything to happen for anything." Mr. Sivley said, "Damn you, I will fix you too," and Mr. Caldwell said, "I am not afraid of your pistol," and when he got loose from them, he turned and shot at the colored people.

SIVLEY THE FIRST TO SHOOT.

Q. Who shot?—A. Mr. Sivley was the first to shoot and Neil was the next. Mr. Sivley was the first one that fired and from that they continued firing one right after the other until there was just a regular engagement, firing one way and the other. I staid there until seven fires, and then left and went up on the hill, and stood and looked at it awhile.

Q. Who did you say fired the first shot?—A. Mr. Martin Sivley and Mr. Neil the next.

Q. Who was the first man shot?—A. Mr. Sivley.

Q. He shot first; who was hit?—A. There was a colored man hit first, and at the third fire Mr. Sivley was.

Q. How long after Sively shot before Neil shot?—A. I reckon about the space of a minute, or not that long; right after it I suppose, say the space of a minute.

Q. How many dead men did you see there and how many wounded?—A. I never seed but three dead men; I never seed but the three.

Q. Do you know the names of those?—A. I don't know; I know one. I didn't know the colored man's name, but I knowed Mr. Sivley.

Q. Where were you living at that time?—A. In Hinds County.

Q. How far from Clinton?—A. About five miles, in the fifth district.

By Mr. BAYARD:

Q. How many white men did you see that were wounded?—A. I never seed only one wounded.

Q. How many did you see killed?—A. I never seed but one killed. Mr. Chilton was killed near his own house.

Q. Did you see him?—A. No, sir.

Q. How far was it from the scene of the disorder?—A. As far as from here—a quarter of a mile.

Q Had he been at the meeting at all?—A. I don't know whether he had or not.

Q. He was killed in his yard?—A He was killed; I don't know.

Q. You did not see him killed?—A. No, sir; not at all.

Q. Is that all you know about any affray at Clinton at that time?—A. Yes, sir.

By Mr. CAMERON:

EVERYBODY COMING, ARMED WITH GUNS.

Q. Where did you go the next day?—A. I went home that evening—started home, but before I got there I met—— I wanted to go back to Clinton to get my mule. I hitched my wagon there—I met a man named Fletcher, who lived close by, and I asked to go back and get my mule. He said, "It is best not to go back." I said that was very hard. I was on one of my mules at the time, and I went on then, and came out in the fifteenth section and came home, and when I started home I met the whole neighborhood of men there; everybody, all coming, armed with guns; and as I came along Mr. Fletcher passed by, went home and got his gun. The whole neighborhood was there.

Q. All white men?—A. Yes, sir; coming back with their guns, and I dodged round then and went through the woods. But when I got about a half a mile from home I met some men from Lexington.

THEY HAD DEAD-LIST MADE OUT.

Q. White men?—A. I didn't know but two of them. Twenty miles from Lexington to Clinton, I went then to Bill Walker's, one of the colored men. I dodged round and had to leave my mule to get out of the way; I tied him out that night, and the next morning went and got it,

early on Sunday. About 8 o'clock, I saw I don't know how many people all around from every part, it seemed. They wanted to know if I was at the fight or not. I told them I had nothing to do with it one side or the other. They had a great long dead list, one of them had, who they was going to kill—Walker, Charlie Caldwell, and Charles Wilburn, and Bob Sheik. They had a dead-list made out.

Q. Who had that list?—A. These white men. They asked me if I knew of any company, and I said "I did not." One of them said "God damn you, from the looks of your eyes you do;" but Captain Hicks spoke up and says "I know that man, he don't know;" says one of them, "I am going to take 500 of you to pay for Sivley's death, and Chilton's and for Thompson's." Thompson got killed there down towards the Edwards track. That was what they told me. I told them I had nothing to do with it in no shape, form, or fashion. He says "you can't leave here to-day." They just kept coming forward all the day long like men was mustering, each with their guns, some with sixteen shooters, and some with double barrels, and some I saw with pistols hanging around them that long; all white men; the whole crowd of them, and there was all of 100 or 150 there, I reckon. An hour and a half after they had first started, they came on the train from Vicksburgh, and in not more than an hour and a half they was there.

Q. Where did the Vicksburgh company get off the train?—A. They got off at the depot.

Q. At Clinton?—A. Yes, sir.

E. BARKSDALE—HINDS COUNTY.

JACKSON, MISS., *June* 23, 1876.

ETHELBERT BARKSDALE sworn and examined.

PERSONAL STATEMENT.

By Mr. MCDONALD:

Question. State your occupation, where you reside, and how long you have resided there.—Answer. My occupation is that of a journalist. I have resided in this State since my youth. I have resided in Jackson twenty-five years.

Q. Of what journal have you the control?—A. Of the Clarion newspaper.

Q. Published at the capital here?—A. Yes, sir.

Q. How long have you been in control of that paper?—A. I have been chief editor of that paper since February, 1867.

Q. Were you here in the State during all the time of Governor Ames's administration?—A. I was.

Q. Were you acquainted with Governor Ames?—A. I knew him officially.

Q. In his official character had you any interviews with him at different times?—A. I had not. I did not have his personal acquaintance, though I was cognizant of his official acts.

Q Were you well acquainted with the character of his official acts and his administration during the time that he was governor and held office in your State?—A. Yes, sir.

Q. It was stated by Governor Ames, in his testimony before the committee, that the democrats made a proposition to him that if he would co-operate with them they would support him for United States Senator.

The CHAIRMAN. Did he say that, exactly?

Mr. MCDONALD. Yes, sir; I think he did.

Q. Were you familiar with the political condition of things in 1868, at the time the first constitution under reconstruction was submitted to be voted upon?—A. I was.

THE CAUSES WHICH LED TO THE DEFEAT OF THE CONSTITUTION OF 1868.

Q. State, as fully as you can, the result of that vote, and the reasons why the constitution was rejected.—A. That being a question relating to an important historical event of this State, I will give a full answer. I will endeavor to set forth the causes which led to the defeat of the constitution of 1868 when first submitted to the people of Mississippi.

While there was opposition by one portion of the former governing class to negro suffrage, for the reason that they did not believe that negroes were fitted to exercise the right of suffrage, there was another class who held that the ballot was essential to the protection of the negro in the position in which he had been placed by the results of the war. They saw, too, that it was the determination of Congress to invest the negro with the ballot, and they believed that it was the best for all classes not to attempt a futile resistance to what seemed inevitable, but to make an earnest and fair trial of the experiment. Connected with a public journal of large circulation, and at that time the official journal of the State, I advocated this policy, and defined myself, and those acting with me, as conservative reconstructionists.

If the framers of the constitution had confined themselves to the political enfranchisement of the negroes, and to such changes in our fundamental law as this measure demanded, including a suitable provision to insure the education of the negroes, the constitution would have been adopted when first presented. The most powerful influence brought to bear against it was the influence of the class which was willing to concede negro suffrage; and this influence would have been silenced altogether, if not made active in support of the constitution, but for other features in it.

It is to be regretted for all parties and for the State that the convention seemed to regard its mission as limited to the narrow scheme of fitting the State to the exigencies of private ambition. They so apportioned the representation in the senate and house that negro constituencies, combined with the decrease of the white vote by disfranchisement, gave complete ascendency to them.

No people could be expected to vote their own disfranchisement, particularly a people who had hitherto been free; and, besides, our State was prostrate. Its sources of revenue seemed to be dried up, State and individual bankruptcy was upon us, and at a time when we most needed integrity, sagacity, and intelligence in the governing class, it was proposed to place the government in the hands of an ignorant and uneducated class, who were incapable of conducting it. Industry, property, and enterprise took alarm at the prospect of a government in which the power to lay burdens on these elements of prosperity was in the hands of those who did not share these burdens, and had not the sagacity to estimate their effect. Such a result we felt would breed general discontent, and to this discontent would be added the hostility of a large class of men, able and influential, who were to bear a large share of the burdens to be thus imposed; and, at the same time, to be shorn of their political rights. Those who felt the want of settled government and repose, after being tossed on the troubled sea of civil war, and after the

scarcely less distracting political agitations which followed, were unwilling to see the germs of discontent and future violent agitation planted in the constitution, and determined to avert what was viewed as a great calamity. No mere political antipathies could have united so much opposition to any measure, and no ordinary cause could have aroused so much energy and activity as was displayed in the canvass of 1868. The negroes heard men in whom they placed confidence, in spite of the circumstance of their being excluded from office and the polls, men who were willing to concede the right of suffrage to the colored race, warning them against the adoption of a constitution which exhibited them to the world as employing the inestimable privilege of the ballot just conferred on them to deprive others of that privilege.

A great boon had been conferred upon them on the supposition that it was essential to their protection of their rights. This boon was in the very first use they made of it converted from a shield to protect into a sword to wound. Was it wise in the colored race to evince this proscriptive spirit, and thus admonish the whites that the negro desired not only equality but ascendency? They were by this unwise measure alienating from the government which they were erecting a class of men without whose influence and support no stable government could exist here. The warnings produced a profound sensation among the negroes, and when coupled with assurances that their own rights were not in danger, never failed to elicit from them emphatic condemnation of that feature of the constitution which imposed permanent disfranchisement upon the whites.

The feature in the constitution which forced the whites to mingle with the negroes in the common schools, or take the alternative of paying the heavy tax, without any corresponding benefit to their children, while it excited the opposition of the whites did not enlist the sympathies of the negroes, and it therefore contributed to the rejection of the constitution. The negroes were earnestly inclined to educate their children. They had not the means to provide education, and knew that the money for that purpose must be drawn from the whites. It was quite sufficient to compel the whites to educate the colored children, without rendering the burden insulting as well as onerous.

There are other features of the Constitution which tended to increase the antipathy to it. One of these features was peculiarly offensive. The provision which compelled suitors in courts, executors, administrators, and guardians, to publish all legal advertisements in certain newspapers, to be designated by the legislature, and thus support by a compulsory tribute, a partisan press, tended, in connection with other proscriptive features, to give to the Government the character of a narrow, selfish, and proscriptive party machinery.

I do not believe that, as a general rule, the negroes would have favored the proscription of the whites at that time, but those who refuse to listen to the appeals to them to vote against the constitution were told by men, who had recently come into the State to take part in politics, that Congress insisted upon it, and that not to vote for the constitution with its proscriptive features would be a crime which would imperil their own newly-acquired privileges.

The constitution which we rejected went far beyond the congressional plan in its disfranchising features. It was not peace; it was a declaration of war. It was proscriptive, not so much for the purpose of punishment as to secure and perpetuate political power to the persons who devised and engineered it through in the convention.

The best portion of the whites in the State have always desired to do

justice to the negro, and to fit him for the grave responsibilities with which he was suddenly invested. The white people of Mississippi are more concerned, if it be possible to effect it, to make intelligent and thrifty citizens of the negroes, than any other people in the United States possibly can be. The interests of the two races, who are permanently to occupy the same soil and live under the same institutions are inseparably connected.

In proof that this is a true statement of the causes which operated to prevent the adoption of the constitution, the fact may be cited that it was subsequently resubmitted to the people, with the opportunity of voting separately upon the objectionable clauses, and it was adopted by large majority.

The recital of the proceedings would be incomplete if it were not stated that after the rejection of the disfranchising constitution by a fair vote, in which all the whites and very many negroes, to their credit, participated, the men who had been instrumental in passing it charged that the result was due to fraud and intimidation, and went before a congressional committee of investigation, and made oath to that effect, pretending to give facts and details in support of their statements, which were manufactured for the occasion. They appealed to Congress and the President to set aside the popular verdict, and force the constitution upon an unwilling people. Their statements were not credited; the justice of the objections to the constitution were recognized by the national authorities, and it was resubmitted to the people with opportunity to reject the objectionable clauses, which they did, by an overwhelming vote.

WHAT GOVERNOR AMES STATED ABOUT DEMOCRATIC OFFERS OF PREFERMENT.

Q. I will state from Governor Ames's testimony what he said in reference to the offers he understood to have been made to him. I will call your attention to that, and ask you to state what you know in reference to it:

I wish to say also that in 1869 the democracy of that State sent to this city and got the brother-in-law of the President, Judge Dent, and took him there and ran him as a candidate for governor against Mr. Alcorn. It is a notorious fact that in that party—and I don't hesitate to say that I imagine I have been approached from time to time by the opposition with most flattering offers held forth that, should I change my coat and become a tool of others, I might receive any honor that I might demand. Certainly that was the case with Judge Dent; and in the State of Mississippi that question of carpet-bagism or brevity of residence has not played a very important part.

Q. Will you state the names of any leading members of the opposition who have made this proposition to you?—A. Not unless it is essentially necessary.

Q. You have stated the fact, and I merely ask you to give you an opportunity to state them if you choose.—A. I say, with reference to that, that any proposition of that kind would not be made in writing, but in a way that the person whose name I might give might evade it, or give another interpretation of it. But, as I stated originally, I imagine I have been approached, and I have no question, in my own mind, on that point.

Q. Can you give the name of any person of the opposition party to you in politics in Mississippi, who made such offers to you as you have described?—A. I think I can, but I prefer not to do so unless the committee require it.

Q. Do you know their names or the names of any one or more?—A. The events referred to occurred a number of years since. I think I would be able to name the persons, or certainly ascertain their names without any difficulty.

Q. From whom would you ascertain them?—A. The charge was publicly made in a republican paper, called the "Leader," in 1870 or 1871, and I think never denied by the opposition press.

Q. Were the parties' names who made you the offer in that paper?—A. I do not remember.

NO OFFER OF PREFERMENT MADE TO GOVERNOR AMES BY DEMOCRATS.

A. I have a distinct recollection of the charge having been made that propositions were submitted by the party opposed to Governor Ames

that, if he would co-operate with them, they would confer office upon him—I have a distinct remembrance of that charge having been in the Leader. It was emphatically denied by the paper which I edit—the Clarion—and proof was called for. The reply was made that it emanated from democratic members of the legislature, upon whom devolved the election of United States Senator. I addressed a letter to every member of that body who were democrats, and received an emphatic denial in reply, that no such proposition was ever made or thought of; These letters I published at the time—these denials.

By Mr. BAYARD:

Q. Have you stated fully your answer?—A. That is the answer; that it was denied, and proved to be false. No such offer was made.

Q. Having intimated the general effect—the force of the proposition made to Governor Ames, as he stated—do you believe there was any truth whatever in his statement that he was so approached?—A. I know there was not, for the reason that I interrogated the members of the legislature who were charged with it, and they all replied that they did not make any such proposition. They did so in writing, and their letters were published.

HOW GOVERNOR ALCORN WAS ELECTED.

Q. How was the radical party inaugurated in Mississippi; how was Alcorn's election brought about?—A. Governor Alcorn was the candidate of the republican party, and his election was accomplished to a great extent, as I supposed, and as was then charged, and I do not think contradicted, by the military interference, by the active and decided interference in his behalf of Governor Ames, who was at that time the district commander, General Ames. He was not then governor. I will state in addition that he was—as the ground upon which I make this statement—that he was in the convention which nominated Governor Alcorn. General Ames was invited to attend the convention. He appeared there in person, and was called upon for a speech, and it was laconic, and in these words:

You have my sympathy, and shall have my support.

Being a military commander, it exercised very great control over the sentiments of the negroes particularly, because General Ames was regarded as the accredited organ of the Administration.

Q. Was it a fact, then, that the military arm of the Government was used in his election in favor of one party?—A. Yes, sir; the troops were sent to various parts of the State at that time, and persons were arrested and thrown into prison; and the effect of the use of troops against men who were opposed to that party had very great influence in controlling and determining the election.

Q. I would like to ask that fact, whether the Army of the United States has been used as a party agent in the affairs of Mississippi, and if it has been so felt by the party to which you belong?—A. Yes, sir; it has been so felt, for it was felt in that election, and the military commander was seen to go into a political organization and pledge his support to its candidates; and the troops were placed in various portions of the State, without any ostensible cause other than their presence would have that effect.

RELATIVE EXPENSES OF THE STATE GOVERNMENT UNDER RADICAL ADMINISTRATION AND OTHER TIMES.

Q. I would like to ask something in relation to the relative expenses of the State government under the radical administration as compared

to other times. What I wish to bring to your mind is whether there has been an increase of the expenses of the State under this term of radical administration?—A. I brought with me some statistics which I had prepared on the subject; some recently, and some on former occasions. I will take some years, under the rule of former times, for the purpose of answering your interrogatory.

DEMOCRATIC COMPARISON OF STATE EXPENSES.

The disbursements were, on account of the State government—

In 1848	$344,717 00
In 1849	270,300 00
In 1850	295,932 00
In 1851	223,637 00
In 1853	229,288 00
In 1857	345,502 00
In 1858	401,032 00
In 1859	406,015 00

This was for the ordinary purposes of the government.

For the administration immediately succeeding the war—I suppose you do not wish me to state the expenses during the war:

From October 16 to May 1, 1865	$296,285 00
From May 1, 1865, to May 1, 1867	555,627 00
From May 1, 1867, to May 1, 1868	576,944 00
From May 1, 1868, to May 1, 1869	502,723 00
From May, 1869, to May, 1870	302,138 00

Under republican rule:

From January 1, 1870, to January 1, 1871	$1,061,259 00
From January 1, 1871, to January 1, 1872	1,329,046 00
From January 1, 1872, to January 1, 1873	1,596,828 00
From Januray 1, 1873, to January 1, 1874	1,450,000 00
From January 1, 1874, to January 1, 1875	1,319,000 00
In 1875, executive department	33,947 30
In 1875, legislative department	118,624 00
In 1875, judicial department	230,025 00

I will state now the different expenditures on account of the different departments, executive, legislative, and judicial.

The expenditures on account of the executive departments were—

For 1848	$8,663 00
For 1854	8,008 00
For 1858	11,225 00
From May 1, 1865, to May 1, 1866	10,429 00

That was the last under the rule of the citizens before the republican government commenced.

Now, the expenses of the same department—the executive department, under republican rule were as follows:

In 1870	$24,200 00
In 1871	34,000 00
In 1872	32,834 00
In 1873	34,973 00
In 1874	54,909 00
For 1875 they were	33,947 30

From January 1, 1870, to January 1, 1871, under Alcorn's administration, $54,000 were expended on that account and as a secret-service fund.

I have here a statement of October, 1875, which I will read. I have the appropriation of the legislature—the democratic legislature—for the present year, and they amount to $27,550.

By the CHAIRMAN:

Q. The gross amount?—A. No, sir; I did not give that, but I will obtain it from the auditor's report, and file it as a part of my statement.

The gross amount of expenditures for the year 1875 is $1,430,192.83.

For the judicial department:

In 1848	$74,741 00
In 1849	83,280 00
In 1855	99,527 00
In 1858	139,824 00
In 1859	147,000 00
From October 1, 1865, to May 1, 1866	49,775 00
From May 1, 1866, to May 1, 1867	163,340 00
From May 1, 1867, to May 1, 1868	191,440 00
The expenditures for 1870 under the same department—that was the first year under the republican rule	320,399 00

Republican rule:

In 1871	$328,000 00
In 1872	434,973 00
In 1873	300,221 00
In 1874	308,854 00
For the year 1875 they were	230,025 00

The appropriations by the democratic legislature for the present year for the judiciary department are $70,000.

I take it as a fair estimate of the expenditures which will be made under that department, for it is designed to cover all of them.

NO INTIMIDATION AND NO FRAUD AT THE LAST ELECTION.

By Mr. BAYARD:

Q. There have been allegations very broadly and positively made of the use of violence and intimidation during the last election, to prevent the free exercise of the right of suffrage in the State, and control the election; will you state what you know of that, and what opportunities you had for knowing?—A. I will state my position here at the capital, connected with the paper published at this place, and my connection with the democratic conservative executive committee of the State, as one of the advisory counsel selected by it, gave me ample opportunities of knowing all the facts in reference to the canvass. I can state that there was no intimidation or fraud within my knowledge.

CAUSE OF THE CHANGE OF RESULT BETWEEN 1873 AND 1875.

Q. What causes existed, to your knowledge, to account for the change in the result of the election of 1875 from that of 1873; what were the causes, in your opinion, for the overthrow of the republican party in this State?—A. It was the intense discontent of the people at the exorbitant taxation, at the increase of the public debt, at the shrinkage, without corresponding benefit, in the property valuation of the State, and the general paralysis of industry, and the corruptions of the party. I will mention that these complaints did not exist with the members of the party to which I belong especially, but with the prominent republicans themselves.

REPUBLICAN COMPLAINTS AGAINST AMES'S ADMINISTRATION.

For example, the republican club which was in existence at the capital—the only one at the capital—made the same complaints; and I, in answer to that question, will call your attention to a series of resolutions, which were adopted, before the election, by this central republican club—Jackson Republican Club, as it was called. At a meeting held in 1874, it passed the following preamble and resolutions:

The following preamble and resolutions were unanimously adopted by the Jackson republican club, at a meeting held on Wednesday, the 16th instant:

"Whereas the burdens of taxation under which the people of Mississippi are now groaning are too grievous to be borne; and

"Whereas these burdens can safely be reduced without impairing the efficiency of the administration of affairs: Therefore,

"*Be it resolved*, That it is not only the duty but the privilege of the republican party to, so far as possible, remedy existing evils by taking such immediate action as will secure a reduction of expenditures and a proportionate reduction in the rate of taxation.

"*Resolved*, That we respectfully present to our legislature, which has been called upon to assemble to-morrow, the following suggestions, looking to the accomplishment of the desired end, and that we urge upon that body the vital importance of a careful consideration of each and every one of them:

"First. The sessions of the legislature should be biennial, and they should be brief.

"Second. We submit that ten circuit judges and ten chancellors are a sufficient number to perform the judicial service of the State.

"Third. The expenses for public printing should be reduced by at least seventy-five thousand dollars annually.

"Fourth. The registration laws should be so modified as to prevent unnecessary expense.

"Fifth. Not one dollar should be appropriated for arming the militia.

"Sixth. The time of the legislature should not be frittered away in enacting laws to meet individual or special cases of small and temporary importance to the State at large.

"Seventh. The session of the legislature to begin on the 17th instant should be continued until the time for the regular session for 1875, with the double object of saving the expense of mileage and of having all necessary legislation in such a state of advancement that it may be completed at an early day after the opening of the regular session.

"Eighth. The constitution contemplates biennial elections, and expense, direct and indirect, of the present system, whereby congressional elections are held in one year and State elections in the succeeding year, is enormous. We therefore suggest the necessity of taking immediate steps to cause the State elections to be held at the same time as the congressional.

"We submit that, if the legislature will in good faith adopt the foregoing suggestions, and such other measures in the interest of economy and reform as may commend themselves to intelligent and patriotic citizens, they will but perform a simple and plain duty, the public will thereby be greatly benefited, and the welfare of Mississippi permanently assured."

The same club addressed the senate and house of representatives of the Mississippi legislature on the 2d of December, 1874, as follows:

MEETING OF THE REPUBLICAN CLUB.

JACKSON, *Wednesday, December* 2, 1874.

Jackson Republican Club met pursuant to previous notice. Elijah Robinson, president, in the chair.

The secretary being absent, E. A. Peyton was appointed secretary *pro tempore*.

Unfinished business being in order, on motion, H. W. Robinson was elected assistant secretary; J. L. Lake, jr., treasurer; and Adam Austin, sergeant-at-arms.

On motion, it was ordered that no money be paid out except by order of the executive committee or by order of the club.

Hon. A. Alderson being called upon, addressed the club in a few well-timed remarks, and introduced the following memorial and resolutions to the next State legislature, which were unanimously adopted:

"*To the honorable the Senate and House of Representatives of the State of Mississippi:*

"Whereas the debt of the State has grown so large, and is still increasing with such fearful rapidity, and the taxes have become so enormous that they threaten the gradual confiscation of property in the payment of these taxes; and whereas the members of the present legislature, before they were elected, promised reform and retrenchment, and a rigid economy in the administration of the government; and whereas the people are becoming restless and uneasy, and have just cause to be alarmed at the present condition of things—the large and rapidly-increasing debt of the State, the enormous expenses of the government, the burdensome taxations to meet these expenses, and the failure of the legislature to retrench and reform as promised, and to administer the government with rigid economy; and whereas the great excess of legislation, occasioned by the too frequent meetings of the legislature and the long protracted sessions, the repealing, amending, and modifying of the old laws, and enacting loosely-made new ones, have made many of the laws so obscure and uncertain that it is almost impossible to understand them: Therefore,

"*Resolved*, That the republican club of the city of Jackson appeals most earnestly

to the justice, moderation, and wisdom of the members of the legislature to remember their promises of reform and retrenchment, made to the people, and adopt such measures as will prove to the burdened and oppressed tax-payers that they were honest and sincere in those promises, and that they intend to carry out the pledges of economy thus made.

"*Resolved*, That one of the reforms insisted upon by the people, and most earnestly demanded of the legislature, is the passage of a joint resolution proposing an amendment to the sixth section of the fourth article of the constitution of the State, to be submitted to the people for their ratification and approval at the next general election. The amendment proposed is as follows, to wit:

"'The political year shall begin on the first Monday of January, and the legislature shall meet *not more than once in every two years*, on the first Tuesday after the first Monday in January, at the seat of government, and shall not remain in session longer than sixty days: *Provided*, The governor, in case of pressing necessity and for special reasons given in writing, may convene the legislature in extra sessions, but such extra sessions shall not continue longer than thirty days.'

"*Resolved*, That the republican clubs in every county in the State be requested to join us in an appeal to legislators for reform, and that they request their representatives and senators to carry out the foregoing resolution, that the expenses of the government be lessened and taxes reduced.

"*Resolved*, That our senators and representatives of this county and district be requested to use all their influence to carry out the wishes above expressed.

"*Resolved*, That the Pilot and Vicksburgh Times be requested to publish the proceedings of this meeting, and that all other papers in the State favorable to reform be asked to copy the same, and do all they can to reduce the expenses of the government and lessen the burdensome taxation, now so loudly complained of by the people."

Captain Lake addressed the club in a few remarks, heartily indorsing the resolutions.

Daniel Crawford addressed the club.

On motion, a committee of five was appointed on resolutions, to report at the next meeting of the club.

On motion, the club adjourned to meet on Wednesday, the 16th of this month.

E. ROBINSON,
President.

E. A. PEYTON,
Secretary pro tempore.

These resolutions were adopted by the republican club of the city of Jackson, and were not dissented from by the republican clubs of any other portion of the State, that I am aware of.

MEETING OF TAX-PAYERS AND THEIR ACTION.

At the same time a meeting and convention of tax-payers was called in the State, without reference to political party, to second the effort which had been made by the republican club to secure a redress of the grievances complained of. And this convention assembled, composed of solid tax-paying men from all portions of the State, without reference to party. It adopted an address, setting forth the grievances of the tax-payers and the remedies which they desired to be applied. This address was unanimously adopted by republicans and democrats of the legislature, and was submitted to that body.

By Mr. MCDONALD:

Q. The democrats and republicans in the legislature or in that meeting?—A. In that convention; and submitted to that body—the legislature—by a committee appointed for that purpose. The legislature took no action upon the subject whatever.

By Mr. BAYARD:

Q. When was that petition of the tax-payers presented to the legislature on behalf of the tax-payers?—A. The convention assembled the first Tuesday in January, and the legislature met upon the very same day. That petition was presented in a few days thereafter.

Q. By a member of the legislature?—A. No, sir; by a committee of tax-payers, appointed for that purpose. In the house, on the 19th of January, on motion of Mr. Street, democrat, a resolution was passed

permitting the resolution to be read on the following day. (House journal, page 131.) Mr. Nugent presented the petition of the tax-payers, and the petition was received and referred to the committee on reconstruction and reform. No other action was taken upon that petition and memorial by the legislature.

Q. In the other branch, was anything done?—A. No, sir. No action was taken upon it in the other branch. This occurred in the house.

Q. Was there any report ever made?—A. No, sir.

Q. Have you a copy of the petition?—A. Yes, sir. No action was taken, nor any legislation passed in conformity with the petition of the tax-payers.

Q. Do you know, after that petition had been presented, was it published in the State, in different parts?—A. It was circulated very largely, sir, in the State; very extensively.

Mr. BAYARD. I will ask you to file a copy of that petition with the reporter.

Mr. BARKSDALE. I will do so.

PETITION AND APPEAL OF THE TAXPAYERS TO THE LEGISLATURE.

Hon. George L. Potter submitted the report of the committee on resolutions, which, on motion of Colonel Walter, was unanimously adopted:

To the Legislature of Mississippi:

The tax-payers of Mississippi, assembled by delegates in convention, respectfully show:

That, by reason of the general poverty of the people, and the greatly depressed values of all property, and especially of our great staple, the present rate of taxation is an intolerable burden, and much beyond their ability to pay.

To say nothing of the very large expenditures for common schools, the present rates of public expenditure greatly exceed the amounts deemed sufficient in former days of abounding wealth.

To-day the masses of our people are very poor, and they naturally feel, as they may well demand, that all public expenditures should be greatly reduced, and limited by the strictest rules of economy to the plain republican system made necessary by their impoverished condition.

It was hoped by many that a period of great prosperity would follow the re-organization of the State, and provision was accordingly made for a costly government; but that hope has given place to despair. Every day the people have grown poorer; lands have diminished in value; wages have grown less, and all industries have become more and more paralyzed. It is daily harder and harder for the people even to live; and many hearts are saddened to-day, burdened with dread, lest the little home, only shelter for wife and children, shall be sold away by the tax gatherer.

These terrible truths show that the present rate or exorbitant expenditures must cease, or the means of the people to pay will soon be utterly exhausted, and their government will be disorganized. A wise statesman will be careful to consider the wants of the people, and studious to devise, and prompt to apply needful remedies, and this is what we respectfully ask from the representatives of the people. We are satisfied that public expenditures can be very largely reduced without impairing the efficiency of the public service.

It should not be forgotten that the southern people, in their poverty, have now to bear many burdens unknown here in former times. The public debt of the United States is enormous, and we all contribute, indirectly it may be, to pay the increased Federal expenditures. We may never see the tax gatherer, but we pay the taxes—they make part of the price of the goods we buy. In addition to this, we have the large expense of our common-school system. These large items may doubtless be greatly diminished by a wise economy, and the people may bear them, thus limited, as necessary burdens; but the fact that, with strict economy, such burdens may continue to be great, is a strong reason for rigid economy of administration wherever it is possible.

It must be remembered that the people of Mississippi suffer not only from the enormous burdens of needless State expenditure, but also from gross waste and extravagance of boards of supervisors; added to these are the heavy local burdens that fall upon the inhabitants of cities and towns and the unhappy people of the levee districts

In September last, Senator Sherman said to the people of Ohio:

"The first requisite of a party to administer the Government now is *economy*. The most difficult to practice, especially after a period of great expenditure. What we

most need is a very large reduction in local taxes, and still more, a very great limitation of the power of local taxation. Now innumerable local authorities, counties, towns, cities, &c., have authority to levy taxes until this amounts, in many cases, to *confiscation*. * * * Upon this question of local taxation we ought to have no party, or soon incomes will be absorbed by taxes."

Apt words these, and wise, even when addressed to the people of rich and prosperous Ohio! With what added force do they apply to us who suffer under greater "local burdens," with the additional weight of enormous State expenditures!

To show the extraordinary and rapid increase of taxation imposed on this impoverished people, we will cite these particulars, viz:

In 1869, the State levy was 10 cents on the $100 of assessed value of lands.

For the year 1871 it was *four* times as great. For 1872 it was *eight and a half times* as great. For the year 1873 *it was twelve and a half* times as great. For the year 1874 it was *fourteen times* as great as it was in 1869. The tax-levy of 1874 was the largest State tax ever levied in Mississippi, and to-day the people are poorer than ever before.

It is true that now, because of diminished property and depressed values, the percentage of taxation must be increased to the amount of revenue levied in former times; but what we complain of is that the aggregate amount of taxes levied on us, in our poverty, greatly exceeds the amount levied in prosperous days. The enormity of this great increase in the percentage will become more plain, if we consider the fact that our present assessments very greatly exceed the market values of the property assessed.

Thus as the people become poorer are their tax burdens *increased*.

In many cases the increase in the *county* levies, in the same period, has been still greater.

But this is not all. A careful estimate shows that during those years of increasing and most extravagant tax-levies, the public debt was increased on an average annually over $664,000, a sum of itself sufficient to defray the entire expenses of the government, economically administered. That is, the State spent on an average, this large sum each year, over and above the amount collected on those monstrous tax-levies. What may be the excess for the year 1874 is not revealed. All that we know is, that many of the very large appropriations for the year were some time since exhausted.

The like extraordinary results have followed the operations of the boards of supervisors, at least in many of the counties. Whether these facts prove a lack of economy in administration, or are to be regarded as sad proofs of the rapid exhaustion of the means of the people and their consequent inability to pay, they are painful to contemplate.

This excessive rate of expenditure would constrain even a prosperous people to cry aloud for retrenchment and reform. It is corrupting in effect, and altogether evil in its results. But if none of these things existed we should be constrained by still other facts to make this appeal to your honorable body. The present year has been most disastrous to all engaged in agriculture, and consequently to all other pursuits. If all the crops raised in the State this year were sold at present market value, the proceeds of the sales thereof would not, as many estimate, pay the cost of production and the taxes. In many counties the result was still more disastrous, the crops being almost a total failure. It is a sad truth that in some parts of the State many of our people are beginning to suffer for want of food, and very many are restricted in their poverty to a very few of the necessaries of life. These afflictions fall heaviest at present on the very large class of our poor citizens; but all classes suffer more or less from this common calamity, and the year of their probation of want and suffering is but just begun.

Presented in these several views of the sad condition of the people of Mississippi, our present appeal amounts to this: Shall the few officials, the mere servants of the people, be permitted to fatten and grow richer, while the people grow poorer and starve? Shall these public servants be privileged to enjoy an extravagant waste of the money of the people to the destruction of the property of the State, or will the legislature interpose immediately, and by a vigorous system of wise reform enforce rigid economy of expenditure in all departments of the government, legislative, executive, and judicial, and in counties, cities, towns, and districts? Let all superfluities be abolished. Let every supernumerary be discharged. Let every dollar, as far as possible, be saved to the suffering people. For the present, and until the State has become rich and prosperous, let all salaries and public expenditures be graded, not according to the merits and capacities of officials, but be reduced and graded to the lowest possible scale compatible with the efficiency of most rigid economy of administering suited to the extreme poverty of the people.

Throughout the whole State the outcry against this oppression of excessive taxation and still greater waste of expenditure becomes louder and deeper every day, and it comes increasing in volume and significant emphasis of tone and expression from citizens of all classes and conditions. All fear the approaching ruin, and all suffer from this common oppression, the difference being only in degree.

With regard to possibilities for retrenchment and reform, we quote and commend to the careful consideration of all the official opinion of Governor Ames as follows: "There are opportunities for curtailment in every branch of the government." (Message on finance, session 1874, p. 3.)

We ask the earnest attention of your honorable body to the following particulars in which by proper legislation very large sums may be saved:

The public printing, by the grossness of its excesses, amounts to public robbery. We submit that such is the practical result, whatever may be the motive on which the extraordinary system is tolerated. Let examples be cited in evidence:

For the five years next preceding the 1st of January, 1861, the average cost of printing for the State did not exceed $8,000 per annum.

For the five years commencing with the fiscal year 1870, the average cost of the printing for the State has exceeded $73,000 each year, being an average excess each year on the former of $65,000.

This enormous increase in the cost of public printing cannot be attributed to increased expense of performing the public work, nor to the large increase in the number of our citizens, for the like conditions exist in Mississippi and Georgia; and yet the recent report of the comptroller-general of Georgia shows that the average cost of the public printing in that State for the years 1872 and 1873 did not exceed $10,000. Mark the contrast according to the above average. The cost of the public printing for impoverished Mississippi for those two years was over eight times greater than the cost of the same work done in the same year for the State of Georgia.

The journals of the two houses of our legislature contain a vast amount of matter utterly worthless to the public, and their enormous bulk, with supplements added, might well cause the inquiry, why were they gotten up in that bulky form if not to swell the profits of the public printer? We cite for the contrast two examples, and one may verify the figures in our State library. In the year 1856 the journals of the two houses contained together 1,163 pages. In the year 1873 the journals contain together 6,393 pages—that is more than five times the number of pages contained in those two journals for the year 1856. Those journals contain in full every little report that a certain bill do pass, and thus they are swelled with a mass of useless matter. Doubtless the enormous difference in the cost for public printing in Mississippi and Georgia arises from the fact that our journals are thus bloated with useless matter, and also that official reports are printed and charged for more than once, and in part because of exorbitant rates allowed to our State printer.

The remedy for these gross abuses and waste of expenditure is plain. Let the journals be greatly reduced in bulk, so as to contain no matter not useful to the public in a legislative journal. Require the official reports to be so reduced in bulk as to contain only essential matters, and those to be stated in briefest intelligible terms. Diminish both numbers and quantities. Let no documents be printed and paid for more than once, and reduce to moderate rates the prices for public printing. Apply like rules of economy and justice to the people to the public printing of counties, cities, and towns.

In this connection it is proper to call special attention to the district printing bill, which was publicly advocated upon the plea, most extraordinary in a free government, that it is both just and proper to tax the general public to sustain party newspapers. In case of public sales, and in many others, the chief value of a newspaper publication consists in the fact that it gives notice to the people of the particular county in which the sale, &c., is to be made. It seems a mere mockery, under a pretense of fairness, to advertise the property of the citizen for sale under execution or for taxes in a distant part of the judicial district, and at a point remote from the county in which the sale is to be made. The same is true of many other notices required to be published. In very many cases of publication required to be made under the law the seeming notice can be of no possible use, and yet the poor citizen is taxed with the costs of such useless publication.

The number of circuit judges and chancellors is far greater than the needs of the public service require.

Before the present constitution went into effect there were but ten circuit judges in the State, who not only discharged all the duties imposed on the thirteen circuit judges now provided for, but also performed nearly all the duties now imposed on twenty chancellors; and there was no complaint that their number was insufficient. By the present system (and we believe in that respect it is a good one) most of the business formerly done by the probate judges is now transacted by the chancery clerks. The chancellors are almost exclusively occupied in what is strictly chancery or equity business, which, as before stated, was formerly within the jurisdiction of the circuit judges. The litigation in the circuit and chancery courts is now far less in amount and value than it was when we had only ten circuit judges. The constitutional amendment, by which the jurisdiction of justices of the peace has been made to include all civil cases not exceeding in amount $150, and the poverty of our people, by which business transactions are very much limited in value, have taken away at least one-third of the civil business of the circuit chancery courts.

The expenses of the legislative department have grown recently into enormous proportions. The sessions are now annual, and have been greatly prolonged, and there has been a great, and, as we respectfully insist, an unnecessary increase in the number of its employés, clerks, doorkeepers, sergeant-at-arms, porters, and pages. Formerly all the clerical force needed was furnished to the house of representatives at $1,500, and to the senate at $1,200, for a session.

We do not wish to be understood as stating that the services of the members of your honorable body are not worth all that is now charged, viz, $500 per annum. There is no price within our means to pay which could possibly be too high for the inestimable blessing of an intelligent, working, and earnest body of men, who consecrate their lives and devote their talents to the study of political economy and those arts which make a people great, prosperous, and happy, and who bring to the great work of enacting laws for the State the rich results of a ripe and varied experience in court affairs. But in our present impoverished condition we respectfully, but earnestly, represent that retrenchment in all parts of the administration is absolutely necessary, and we cannot doubt that the members of your body will initiate this reform by fixing their salaries at the sum paid before the war, which amounted generally to about $250 for two years, there being but one session in that time. This sum would be greater than is realized on the average by citizens in private life, and greater also than the average paid members of the legislature by the other States in the Union.

The governor's salary might be, without detriment to the public service, fixed at $4,000 per annum, which is far larger than is paid by other States in the Union having no more wealth than Mississippi.

The lieutenant-governor's salary might also be fixed at the price usually paid to the presiding officer of the senate, viz, double the salary of a senator.

The salaries of the treasurer, secretary of state, auditor, and attorney-general we ask may be fixed as they were under the code of 1857; and the clerks and assistants allowed these officers reduced to the number and compensation with the salaries fixed by that code; and the salary and expenditures of the State superintendent of education should be reduced to a very moderate sum. His office should be a room in the capitol.

And we respectfully ask that the salaries of all other State and district officers should be fixed at the rate paid before the war. The salaries then allowed were sufficient to procure the services of able and competent men, and we feel sure they will be sufficient now. The truth is that all private pursuits are so depressed, and all official positions so highly remunerative, that the difference begets a wide-spread greed for office and encourages that bane of all free governments, the growth of a large class whose sole interests in the State consist in their reception of the emoluments of official position.

The cost of assessing and collecting the revenue of the State is out of all proportion to the necessary labor and responsibility required in the discharge of those duties. The gain to these officers is enormous. Under the code of 1857 the maximum which an assessor could receive in any one year was $500, and the commissions of the collector were graduated according to the amount collected, so that it rarely happened that a collector received as much as $1,000 per annum, and he seldom, if ever, received as much as $1,500 in one year. We respectfully ask that the compensation paid to these officers should be so regulated as in no case to exceed the sums above mentioned.

The compensation of the county treasurer should be fixed so as not to exceed in any instance the sum of $500 per annum. His duties are light, and his responsibility will be small if the county levies are restrained as hereinafter asked for.

The fees of the chancery and circuit clerk and sheriff are too high, and, we are sorry to add, in many instances are very much increased by exorbitant and illegal charges. We ask that this subject be carefully looked into by the legislature, and the rates so fixed that while a fair and just compensation is allowed for these services the burdens of the suitor shall not be so great as they now are; and we suggest that the State, like the United States, will fix a point in compensation of county officers beyond which the fees shall go into the State treasury.

In many counties this point might be fixed at $600, in others at $1,000 or $1,200, but in no instance should it be fixed beyond $2,000 for clerks and $2,500 for sheriff, including their gains as tax-collectors.

The jail-fees are a great burden on the people. They are now too high, and yet in many instances extra compensation is allowed by the board of supervisors. They should be fixed at the cost of a plain and healthy support of the prisoners. Imprisonment in the county jail as a punishment should be made less frequent. Unfortunately many who are guilty of petty misdemeanors feel neither the burden nor the disgrace of imprisonment in the county jail. We leave it to the wisdom of the legislature to devise some other mode of punishment which, without inflicting corporal pain or bringing forward any badge of slavery, may yet prove more efficacious in reforming offenders and be less expensive to the tax-payers.

The law also should require the convicts sentenced to the penitentiary to be immediately removed to the State prison. They are now, in many instances, left in the county jails for many months, to the great cost of the several counties. The jail fees for a day should not exceed 50 cents.

The salaries of inspectors of the penitentiary ought to be saved to the State by imposing the very light duties of these offices on other State officers, or on competent citizens, without salaries.

The trustees of the insane, deaf and dumb, and blind asylums should be prohibited from using any of the funds appropriated to these institutions in the way of salaries or fees to themselves.

The appropriations to the State universities are beyond the means of the State to pay, and beyond the necessities of these institutions.

The salaries and mileage paid to the trustees of these institutions ought to be prohibited. The duties of these officers are extremely light and highly honorable; like services of all other institutions of learning in the State, and throughout the Union, are rendered by the best citizens without compensation.

Again, the expenditure of the State's money, poor as the people are, and laboring under the most crushing taxation, for the board and support of certain students, is wrong. The State is under no obligation to furnish these favored few with what is denied to the children of the State at large. The State supposes she discharges her duty to the great mass of her children when she furnishes schools free of tuition for four months in the year. These schools are for the people at large; the colleges and universities are for the more fortunate few. Not more than one in a thousand, even in the most favored countries, ever go to college. It is wrong that nine hundred and ninety-nine should be burdened with a taxation so crushing that they are deprived in many instances of the means of even going to a common-school, in order that one fortunate person shall have extraordinary benefits denied to the others. We therefore ask that the scholarships in the two universities be abolished. These remarks apply also to the normal-schools.

While we cordially indorse the wisdom of that policy which extends to the children of the State the advantages of a free common-school education, we respectfully submit that our present legislation in that respect is radically defective in theory, and in its practical workings is a great wrong, rather than of benefit to her citizens. The present rate of taxation for purposes of education, and the appropriations made for that purpose, amounts to the enormous sum of $675,000 annually; greatly more than is necessary for carrying on the State government. We suggest that the mistake in this matter has been this: The attempt has been made on an impoverished State, with all its industrial pursuits in a deranged and constantly changing condition, and all of its property values greatly depreciated, to suddenly inaugurate a complete system of common schools, fully adequate to the wants of the whole people of the State, and to extend this even to a collegiate education. While this would be well enough perhaps in a great, prosperous, and wealthy commonwealth, yet the attempt in our State in its present condition has been productive of such an enormous taxation as to bring ruin to the doors of the parent in the attempt to educate the child, and to produce in the public mind a growing and annually increasing hostility to the policy of free education itself. We therefore respectfully suggest a thorough change of the law in this respect; that the present tax for educational purposes be greatly reduced; that free education be restricted simply to elementary grammar-schools; that the pay of county superintendents be reduced as herein recommended, and that the effort be directed to the gradual and economical building up of a common school system which shall not by its enormous exactions excite the hostility of the citizen, but will rather attract to itself his support and affection.

The commissioner of immigration is an unnecessary office. His duties are nothing; his services of no value. We suggest that his salary might be abolished, or be made merely nominal, and all appropriations subject to his control be repealed.

The salaries of county superintendents of education might be saved by uniting that office having such light duties with that of sheriff, with an extra compensation of $50 per annum, except when the services of a competent citizen can be got for that sum.

The salaries of teachers in common-schools are far greater than is necessary to secure the services of the persons employed. For second-class schools, $25 per month would be ample, and for first-class, $50.

On this subject we suggest that a constitutional amendment is necessary in order to give to the present common-schools the benefits of fines, forfeitures, and licenses now required to be funded.

The sessions of the legislature should be biennial. It is within the power of the legislature to fix by law that it should meet only once in two years. This is the plain meaning of section 6, Art. II of the constitution. We ask, however, that biennial sessions be not left to the discretion of the legislature, but that the rule be adopted by constitutional amendment.

The constitution should also be amended so as to prohibit all special legislation. A great portion of the time of the legislature is now spent in making that kind of legislation, when the same end would be attainable by general laws.

One of the evils of the times is excessive legislation. Statutes are passed and then modified or repealed, in whole or in part, without due deliberation, and the result is

that the statute laws of the State are becoming more and more intricate and confused at every succeeding session of the legislature. The laws should be plain and simple, so that the citizen may, without danger or mistake, conform his action to them.

There are many other abuses in the administration besides those we have referred to. We leave these to the wisdom and patriotism of the legislature to correct.

But probably the most flagrant evil of which the tax-payers complain, and the greatest outrages perpetrated on their rights, arise from the action of the boards of supervisors.

This court is really the most important of any in the State, and should be composed of the very best men in the several counties. As a general rule, we are sorry to say, the members of this board are wholly unfit to discharge their duties, and are without respectability or accountability. This, however, is not the fault of the legislature of the State, except in so far as it encourages such men to seek for that position. The county levies, in a large majority of the counties, are extravagant and oppressive beyond all endurance. The contracts for public work are made without economy or care, and with a reckless indifference to the interests of the public. These boards, in some instances, employ their own members to do the work not authorized by law, merely for the purpose of making them extravagant allowances. In many instances these members are wholly ignorant, and are completely under the control of the clerks and sheriffs of these counties, to whom they make extravagant allowances. This is a great evil, and we suggest that remedy which alone seems adequate. Legislation should be immediately enacted, fixing the maximum rate of taxation at 50 per cent. on the State, beyond which they shall not go in any instance.

These boards should also be prohibited from making any contracts, or allowances, or appropriations, except when there is money in the treasury to pay them. And every such order or warrant so made and ordered, when there is not money in the treasury sufficient to pay it, should be declared utterly null and void, and all persons concurring in making or issuing them be declared guilty of a misdemeanor in office and punishable for such, as provided by law.

There is another fruitful source of peculation and wrong in the power assumed by the board to allow for stationery, fuel, &c., to the county officers. Under this head large and unnecessary sums are allowed for ink, paper, envelopes, sealing-wax, gold pens, pencils, and printed blanks. The actual cost of these things is very little, and the actual wants of the officers very small as compared with the amounts furnished. It is the habit of these officers to furnish their friends and favorites with stationery at the public's expense. The remedy for this is to return to the old rule by which each officer was required to furnish his own stationery, wood, lights, &c., at his expense, except alone where bound volumes of record books were required.

There remains another remedy to which we earnestly, but respectfully call the attention of the legislature. It is confidently believed that either of the following would tend greatly to the character and responsibility of the board of supervisors. To repeal all laws allowing the members thereof any compensation for their services. The services required of a competent and faithful board would not exceed ten days annually, and the work would be done within that time, if there were no inducements in the shape of a per diem to prolong its sessions. The services would not be more burdensome than the liability to work on the public roads and streets, and the members of the board might be exempted from the latter duty as well as from jury service.

It is believed that if no compensation were allowed, no citizen would seek the office, but that the people could find, without difficulty, a sufficient number of the very best men to discharge the highly honorable and responsible duties of members of the board of supervisors. But if this be deemed wrong, then we suggest that the compensation of the members of the board be reduced to $25 per annum, and that each member be required to give bond and security in the penalty of $2,000, at least, by which he shall be bound to a faithful performance of the duties of his office, and in which he shall be liable for all illegal allowances for which he may have voted. And it shall be provided that in every instance where an allowance or appropriation of money is made the names of the members voting for and against should be recorded, and that such names voting for such appropriation be embraced in every warrant issued on such appropriation. And in case the alternative of a salary, is adopted, then it should be provided that no warrant for such salary should be issued in any case, except where there is money in the treasury sufficient to pay it after first paying all prior warrants ordered by the board.

The necessities of the people demand further time within which to pay their taxes for the year 1874. A delay of sixty or ninety days would afford great and needful relief; and if then the lands of delinquents have to be sold, the period of redemption should be two years and the damages 25 per cent. for each year.

We feel constrained to call your attention to the many thousand acres of land now held by the State under sales for taxes in arrears and unpaid. Practically, these lands are a burden to the State, and useless for all revenue purposes. Many of them were sold during the last war, and some in 1848. If the titles could be depended upon at

all, it would be wise to husband the resources thus provided and await the developments of the future; but the tax titles, we may fairly assume, are all worthless. The great object to be secured is, to make these lands available for purposes of revenue, and we suggest that the owners, or parties interested therein, be allowed to redeem them on payment of the State tax for 1874, and if not redeemed by the 1st of July next that they may be sold to any one upon the same terms. Nor would we restrict any one as to the right to purchase; and would allow any man to buy any quantity he may desire. This policy would defeat the purpose of those who suffer their lands to be held by the State because of the invalidity of her tax-titles.

CONCLUSION.

In conclusion we beg to assure your honorable bodies that in thus exercising the sacred right of petition we have not intended to cast any reflection upon this or former legislatures, nor have we been influenced by any motive of gaining a party advantage. The members of the convention which presents this petition belong to all parties. We regard the great interests of the State and her people, so much impoverished by the abuses we complain of, as too high and sacred to be made the subject of party contests.

Mississippi has a soil unequaled in fertility and in the variety of its products. Our climate is genial and healthy. Every element of high prosperity and of material and moral advancement exists. But, notwithstanding all this, every business is depressed, the people discontented and paralyzed. We have the benumbing influence of despair and threatened ruin in lieu of the healthy and vigorous activity and energy of hopeful progress. And there yet remains the saddest truth of all. There is distrust and a want of mutual confidence between the different classes of our population, and a deep and wide gulf separating the rulers and the ruled. The tax-payers do not desire this, and they now make this respectful petition and appeal to the legislature in the hope that that body may receive it in the spirit in which it is made, and that such action may result as will speedily put Mississippi on the high road to prosperity which shall bless all classes and conditions and extend to every section of the State.

COMPOSITION OF THE TAX-PAYERS' CONVENTION.

Q. Will you state how that tax-payers' convention was composed?—A. It was of members of both political parties, solid tax-paying men, very generally.

Q. Do you remember who Judge J. S. Morris is?—A. Yes, sir; I know him.

Q. Do you remember a public letter in which he seconded this appeal on the part of the taxpayers?—A. Yes, sir; I remember a letter he addressed to the republican club, which I have now in my possession—the original letter. In answer to your inquiry as to the causes which led to this political revolution, if I shall so call it, in Mississippi, I will quote from that letter. It was dated Vicksburgh, September 8, 1874.

Q. Was it published in the papers at the time?—A. No, sir.

Q. Was Mr. Morris's letter published?—A. No, sir. I have the original letter in my hand now. It was addressed to "R. C. Kerr, chairman of the republican executive committee of the city of Jackson," and I will read a single paragraph, if it is desired. It is a paragraph which bears directly upon the point:

The evils which have for some time past afflicted all classes of our people, are attributable, in a large degree to the desertion by high republican officials of the principles of the party, to willful and flagrant violations of the constitution which they are sworn to support. These are well known to every intelligent man in the State, and will be widely and universally discussed, exposed, and punished in the next election.

This is in the handwriting of Hon. J. S. Morris, dated September 8, 1874, he having formerly held the office of attorney-general of the State. That is the original letter.

COLORED MEN ABANDON THE REPUBLICAN PARTY.

Q. What do you know of the voluntary abandonment of the republican party by numbers of the colored men in the State?—A. I know it to be a fact, sir. In evidence of it I will state that early in the canvass, before any riot arose or trouble occurred, I attended a meeting in this county, (Hinds,) where the colored voters are in the majority, probably

fifteen hundred or two thousand, and in which all the county officers hitherto had been republican. In that meeting there was a large number of colored voters. I attended a meeting at the county seat of Raymond; in the procession there were not less, probably, than five hundred colored men carrying banners and devices of the democratic party, fully participating in the meeting. That is one of the many instances that I can mention. In the county of Rankin, on the day or two before the election, every thing was quiet and good feeling existed; there was no disturbance, nor had been; a great many colored men were in the procession; I addressed it, and many friends participated in the meeting. The negroes were fully co-operating with the democrats and conservatives in their organization, and in all its objects.

Q. You were present and observed the fact?—A. Yes, sir; and in quite a number of counties. I have given this simply as a fact which came under my own observation. I may mention also a meeting in the town of Jackson, the capital of the State. A large democratic-conservative meeting was held on the 27th of October, and a great many colored men were in the procession, co-operating with the whites in the objects of their organization.

ADHESION OF COLORED MEN TO DEMOCRATIC PARTY, OWING TO A DESIRE TO SECURE A CHANGE OF ADMINISTRATION.

Q. State whether that adhesion of the colored men, or participation in the canvass, and their adhesion to the democratic party, was obtained through any intimidation or any kind of violence.—A. My impression and positive conviction is that it was obtained by a desire of the colored people to co-operate with the whites in securing a change of our State administration. They had been promised many things by the republican leaders who had come into the State to participate in its politics. It is my positive conviction and firm belief, based upon my knowledge of the canvass and these details and circumstances, that it was obtained by the cordial and free-will co-operation of the colored people who desired a change in the administration of our State government. They had been promised many things in the early organization of the republican party, which were impossible probably of fulfillment, by the republican leaders, in order to secure their co-operation.

NOT OBTAINED BY INTIMIDATION OR VIOLENCE.

Q. To avoid any misconstruction of any question, or your answer, I will again ask—for you have not answered my question; my question is one of exclusion—whether or no the adhesion of these people was obtained in any way by intimidation or violence?—A. It was not. I will state furthermore that while the colored people desired a change of administration for the causes I have already mentioned, the democrats and conservatives everywhere pledged to the colored men that they would secure them in the full enjoyment of all their rights and privileges; that they would make no discrimination against them in the legislation which would be adopted by that party; that the public schools should still be kept up, and that in no measure would the colored people be interfered with in the rights which had been secured to them. Under the influence of this pledge, and the willing co-operation of democrats upon it, the negroes by thousands voted with that party and succeeded in securing a defeat of the republican administration.

NO AGREEMENT TO HAVE DEMOCRATIC COMMITTEES ATTEND REPUBLICAN MEETINGS ADOPTED BY THE DEMOCRATIC PARTY.

Q. An editorial published in a paper called the Raymond Gazette has

been read here, and incorporated into the testimony of one of the witnesses, as indicating a settled plan upon the part of the democrats to interfere with the republican meetings by means of organized committees, composed of ten or a dozen men, who were to attend and interrupt the meetings and to prevent the objects of the meeting from being carried out I wish to know whether that proposition found favor with the democratic party in the State generally; and whether, to your knowledge, it was acted upon. I will state to you that there has been a suggestion made by one or two witnesses that the riot at Clinton was in some way brought about by the carrying into effect of such a plan.—A. There was no understanding or agreement or plan of that sort adopted by the democratic-conservative party. My connection with the highest authority of that party, the democratic executive state committee, authorizes me to say that there was no suggestion or intimation of that sort given out from that quarter. What the editor of the Raymond Gazette may have said, I am not fully apprized of. I am quite sure, though, that there was no preconcerted and premeditated organization attempted on the part of the democratic party to interfere with any republican meetings. Some members, I will state, may have been attracted there on that day to obtain information as to the arguments that would be made by the speakers on the republican side; and some may have been drawn there by a curiosity to see what was said, as is always the case with persons of different parties attending the meetings of the other. But it was in no other spirit to my knowledge. I was not apprized of any such understanding.

NO SUGGESTION OR PURPOSE TO INTERRUPT REPUBLICAN MEETING AT CLINTON.

Q. Was it suggested or proposed, to your knowledge, to interrupt the meetings of the party, or was such purpose ever carried into effect?—A. It was not, and certainly the riot at Clinton was brought on by no such purpose or previous understanding, because in fact the democrats who were there were without preparation for a difficulty, and in consequence, when it occurred, several of them were butchered and brained while seeking safety and trying to get away from the grounds.

Q. As a matter of fact, what was the number of negroes and the relative number of whites at that meeting?—A. I suppose 50 white men on the ground, and probably several thousand negroes.

By the CHAIRMAN:

Q. In point of fact, was the gentleman present?—A. I was not. I only speak from such information as I was able to obtain.

By Mr. BAYARD:

Q. Is it or not your business to obtain correct statements of facts and make particular inquiries of events passing around you?—A. Yes, sir. That is my business. That is what I endeavor to do.

Q. How far is it from this city to the place where that difficulty occurred?—A. Nine miles.

Q. There is a railway between here and there?—A. Yes, sir.

GOVERNOR AMES'S MILITATY PREPARATIONS.

Q. What do you know of military preparations made early in the canvass, by Governor Ames, and before any of these riots had occurred?—A. While matters were in a condition of profound peace here, though these causes of discontent existed to which I have referred, and which are stated in the taxpayers' memorial and in the resolutions of the republican club here in the city of Jackson, Governor Ames, after the

passage of the law which was known as the "Gatling-gun bill," as if preparing for war here, addressed a letter to the Secretary of War inquiring about Mississippi's quota of arms; a copy of that letter I have here:

MAY 25, 1875.

SIR: By direction of His Excellency A. Ames, governor of Mississippi, I have the honor to apply to you for the statement of arms and other military property issued to this State since 1860, under act of Congress April 23, 1808, and the acts amendatory thereto.

A communication from the Ordnance Office, Washington, D. C., has been received, in which the State of Mississippi is charged, under the provisions of an act approved March 3, 1875, with the sum of $170,167.31 and a balance due the United States is claimed of $1,967.66.

The records of this office do not show the amounts of the apportionment for the different years, and, having no data to follow, I respectfully apply to you to furnish it.

I am, sir, very respectfully, your obedient servant,

A. G. PACKER,
Adjutant-General.

To the honorable SECRETARY OF WAR,
Washington, D. C.

That was a letter written on the 25th of May, 1875.

On the 2d of June, before the political canvass, Governor Ames addressed a letter to General Benét, chief of the Ordnance Department, as follows:

JUNE 2, 1875.

SIR: I have the honor to respectfully apply for a price-list of ordnance and ordnance-stores as issued from your office, also a book of forms used in the Department if any change has been made since the publication of the regulations, 1863.

Very respectfully,

A. G. PACKER,
Adjutant-General.

Brig. Gen. S. V. BENÉT,
Chief of Ordnance, Washington, D. C.

Q. What do you know of any military preparations made by Governor Ames early in the canvass and prior to the occurrence of any of these disturbances?—A. As I have stated, and cited the letters showing he was making military preparations. Then, I have an order-book, issued from the headquarters State of Mississippi, adjutant-general's office, Jackson, May 1, 1875, announcing officers of the Mississippi State militia, during the months of February, March, and April, 1875.

"STAFF OF THE COMMANDER-IN-CHIEF.

"Brig. Gen. Albert G. Packer, of Holmes County, adjutant-general. February 25, 1875.

"Lieut. Col. Omar S. Lee, of Holmes County, aid-de-camp. Febru- 25, 1875"—a gentleman who has since proved a defaulter to a very large amount, in the county of Holmes, and has fled the State, and his whereabouts are not known.

"Lieut. Col. Jas. J. Spellman, of Madison County, aid-de-camp. February 25, 1875.

"*Fourth division.*

"Brig. Gen. Wm. Gray, of Washington County. February 25, 1875.

"General Brown, colonel first regiment infantry. February 25, 1875.

"Major-general State militia, Alexander Warner, of Madison County. February 26, 1875."

These gentlemen were all members of the republican party. That General Warner was the chairman of the republican State executive committee.

Of these, Spellman, Gray, and Brown were colored men; no democrat among them.

After the Clinton riot Governor Ames proceeded to perfect the military organization which had been ordered by law; and in the county of Hinds, under authority known as the "Gatling-gun bill," on the 23d of September he ordered one thousand Springfield breech-loading muskets to be purchased and directed to the adjutant-general of this post. After the receipt of those arms they were issued to companies in this county of Hinds, as follows:

On the 2d of October 80 guns, with accouterments, were issued to Capt. Chas. Caldwell, (colored.)

On the 5th October, to the same person, 17 were issued.

On the 6th October, 47 issued to Capt. John W. Cleagan, (white.)

On the 7th, 80 stand of arms to Green Tapley, (colored,) with ammunition.

On the 9th of October, 80 issued to Ed. L. Gillin, (colored,) with ammunition.

On the 9th of October, 65 stand of arms issued to Geo. D. Nixon, (white,) with ammunition.

On the 10th, 80 issued to W. C. Mosely, with ammunition.

On the 11th, 60 issued to Oliver Cromwell, (colored,) with ammunition.

That was in this county; issued with accouterments, ammunition, &c., to five negro companies in the county of Hinds, and two white companies.

Almost without exception the appointments were from the republican party. I do not think of an exception in the military appointments, and two-thirds of the companies that were commissioned in the military service were taken from that party. Probably half were commanded by colored officers.

The following is a full list of the appointments:

FIRST DIVISION.—Brig. Gen. William F. Simonton, of Lee County, March 4, 1875.
SECOND DIVISION.—Brig. Gen. Marion Campbell, of DeSoto County, March 4, 1875.
THIRD DIVISION.—Brig. Gen. N. B. Bridges, of Oktibbeha County, March 4, 1875; *Hinds County:* Samuel P. Steele, colonel First Regiment Infantry, March 10, 1875; *Jasper County:* Newton Knight, colonel First Regiment Infantry, March 17, 1875; *Lowndes County:* W. A. Monroe, captain Columbus Light Artillery, March 17, 1875; E. R. Bliss, first lieutenant Columbus Light Artillery, March 17, 1875; *Grenada County:* C. P. Lincoln, colonel First Regiment Infantry, April 12, 1875; *Monroe County:* James W. Lee, colonel First Regiment Infantry, April 12, 1875.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

HEADQUARTERS STATE OF MISSISSIPPI,
ADJUTANT-GENERAL'S OFFICE,
Jackson, June 1, 1875.

[General Orders No. 3.]

The following-named officer has been appointed in the Mississippi State militia during the month of May, 1875:

Wilkinson County.—William H. Noble, colonel First Regiment Infantry.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

HEADQUARTERS STATE OF MISSISSIPPI,
ADJUTANT-GENERAL'S OFFICE,
Jackson, June, 1875.

[General Orders No. 5.]

The following-named officers have been appointed in the Mississippi State militia during the month of June, 1875:

Lowndes County.—M. A. Brownlee, captain Company A, First Regiment Infantry;

T. H. Smith, first lieutenant Company A, First Regiment Infantry; D. P. Moody, second lieutenant Company A, First Regiment Infantry.

The following resignation in the Mississippi State militia has been accepted during the same period:

Grenada County.—June 17, 1875, First Regiment Infantry, C. P. Lincoln, colonel.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

HEADQUARTERS STATE OF MISSISSIPPI,
ADJUTANT-GENERAL'S OFFICE,
Jackson, October 1, 1875.

[General Orders No. 7.]

The following-named officers have been appointed in the Mississippi State militia during the months of August and September, 1875:

Warren County.—William French, colonel Fourth Regiment Infantry, August 12, 1875.

FIFTH DIVISION.—Brigadier-General William F. Fitzgerald, of Hinds County, September 15, 1875.

FIFTH DIVISION.—*Staff of Brigadier-General.*—John D. Beaird, assistant adjutant-general, with rank of major, Warren County, September 22, 1875; Wirt Johnson, assistant surgeon-general, with rank of major, Hinds County, September 24, 1875; William R. Davol, assistant quartermaster-general, with rank of captain, Warren County, September 27, 1875; John J. Rohrbacher, aid-de-camp, with rank of captain, Hinds County, September 27, 1875; Marion Smith, aid-de-camp, with rank of captain, Hinds county, September 27, 1875.

Warren County.—R. J. Temple, captain Company A, Second Regiment Infantry, September 27, 1875.

Staff of Major-General.—M. B. Sullivan, assistant adjutant-general, with rank of colonel, Bolivar County, September 24, 1875; William H. Compton, assistant surgeon-general, with rank of lieutenant-colonel, Hinds County, September 24, 1875.

Hinds County.—John W. Clingan, captain Company A, First Regiment Infantry, September 25, 1875; John C. Rietti, first lieutenant Company A, First Regiment Infantry, September 25, 1875; Matt F. Ash, second lieutenant Company A, First Regiment Infantry, September 25, 1875; Charles Caldwell, captain Company A, Second Regiment Infantry, September 25, 1875; Eugene B. Welborn, first lieutenant Company A, Second Regiment Infantry, September 25, 1875; Porter Kelly, second lieutenant Company A, Second Regiment Infantry, September 25, 1875; Green Tapley, captain Company B, Second Regiment Infantry, September 25, 1875: Charles Morgan, first lieutenant Company B, Second Regiment Infantry, September 25, 1875; John F. Duncan, second lieutenant Company B, Second Regiment Infantry, September 25, 1875; Nathaniel D. Sneed, colonel Second Regiment Infantry, September 27, 1875.

Lafayette County.—Victor W. Thompson, colonel First Regiment Infantry, September 28, 1875.

FIRST DIVISION.—*Staff of Brigadier-General.*—John C. Heidelberg, assistant adjutant-general, with rank of major, Lee County, September 30, 1875; Clinton C. Jones, assistant quartermaster-general, with rank of captain, Lee County, September 30, 1875; Joseph M. Bynum, assistant surgeon-general, with rank of major, Alcorn County, September 30, 1875; Henry M. G. Spencer, aid-de-camp, with rank of captain, Lee County, September 30, 1875; Green M. Maddox, aid-de-camp, with rank of captain, Tippah County, September 30, 1875.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

HEADQUARTERS STATE OF MISSISSIPPI,
ADJUTANT-GENERAL'S OFFICE,
Jackson, November 1, 1875.

[General Orders No. 8.]

The following-named officers have been appointed in the Mississippi State militia during the month of October, 1875:

SIXTH DIVISION.—Brigadier-General Harris P. Hurst, of Pike County, October 2, 1875.

SIXTH DIVISION.—*Staff of Brigadier-General.*—James C. Lamkin, assistant adjutant-

general, with rank of major, Pike County, October 2, 1875; Frank Strong, assistant surgeon-general, with rank of major, Amite County, October 2, 1875; Charles P. Hosmer, aid-de-camp, with rank of captain, Pike County, October 2, 1875; Moses Jackson, assistant quartermaster-general, with rank of captain, Amite County, October 17, 1875; David C. Bramlett, aide-de-camp, with rank of Captain, Amite County, October 17, 1875; David C. Bramlett, aid-de-camp with rank of captain, Amite County, October 17, 1875.

Warren County.—Adam Bowie, captain Company A, Second Regiment Infantry, October 5, 1875.

Hinds County.—William C. Mosely, captain Company D, Second Regiment Infantry, October 7, 1875; John W. Chase, first lieutenant Company D, Second Regiment Infantry, October 7, 1875; William Williams, second lieutenant Company D, Second Regiment Infantry, October 7, 1875; E. L. Gilliam, captain Company E, Second Regiment Infantry, October 7, 1875; Thomas Stevens, first lieutenant Company E, Second Regiment Infantry, October 7, 1875; Robert Williams, second lieutenant Company E, Second Regiment Infantry October 7, 1875; George D. Nixon, captain Company B, First Regiment Infantry, October 9, 1875; E. W. Partin, first lieutenant Company B, First Regiment Infantry, October 9, 1875; C. E. Marshall, second lieutenant Company B, First Regiment Infantry, October 9, 1875; William Iverson, captain Company C, Second Regiment Infantry, October 11, 1875; Edgar Gordon, first lieutenant Company C, Second Regiment Infantry, October 11, 1875; Nathaniel Hudson, second lieutenant Company C, Second Regiment Infantry, October 15, 1875; Oliver Cromwell, captain Company F, Second Regiment Infantry, October 11, 1875; Virgil Clark, first lieutenant Company F, Second Regiment Infantry, October 11, 1875; Cornelius D. S. Parker, second lieutenant Company F, Second Regiment Infantry, October 11, 1875.

DeSoto County.—Albert D. Thompson, colonel First Regiment Infantry, October 11, 1875; Jefferson J. Evans, lieutenant-colonel First Regiment Infantry, October 11, 1875; Thomas A. Leon, major First Regiment Infantry, October 11, 1875; James F. Pratt, adjutant, with rank of first lieutenant, First Regiment Infantry; October 11, 1875; Horace H. Hillman, captain Company A, First Regiment Infantry, October 11, 1875; Calvin S. Nesbit, first lieutenant Company A, First Regiment Infantry, October 11, 1875; Henry Odom, second lieutenant Company A, First Regiment Infantry, October 11, 1875; John W. Farmer, captain Company B, First Regiment Infantry, October 11, 1875; Thomas McCain, first lieutenant Company B, First Regiment Infantry, October 11, 1875; James McLaughlin, second-lieutenant Company B, First Regiment Infantry, October 11, 1875; Henry Rogers, captain Company C, First Regiment Infantry, October 11, 1875; Jerry Powell, first-lieutenant Company C, First Regiment Infantry, October 11, 1875; Charles H. Knowlton, second-lieutenant Company C, First Regiment Infantry, October 11, 1875.

Yazoo County.—Albert T. Morgan, colonel First Regiment Infantry, October 11, 1875.

First Regiment Mississippi Cavalry.—Colonel, Eugene H. McMichael, of Wilkinson County, October 11, 1875; lieutenant-colonel, John G. Mills, of Holmes County, October 11, 1875.

Amite County.—Charles P. Nelson, captain Company A, First Regiment Infantry, October 17, 1875; Henry J. Lilly, first-lieutenant Company A, First Regiment Infantry, October 17, 1875; T. N. Lafayette Anderson, second-lieutenant Company A, First Regiment Infantry, October 17, 1875.

The following appointments have been revoked during the same period:

Warren County.—R. J. Temple, captain Company A, Second Regiment Infantry, October 5, 1875.

Hinds County.—Charles Caldwell, captain Company A, Second Regiment Infantry, October 21, 1875; Eugene B. Welborn, first-lieutenant Company A, Second Regiment Infantry, October 21, 1875; Porter Kelley, second-lieutenant Company A, Second Regiment Infantry, October 21, 1875.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

On the 24th of September Governor Ames addressed a letter as follows:

September 24, '5.

Sir: I am directed by his excellency the governor to inquire if any militia organizations are needed in your county to assist the civil officers?

Are there any threats from the opposition that, in your judgment, will be carried into effect; and, if so, will it be possible to hold a quiet and peaceable election?

Very respectfully,

A. G. PACKER,
Adjutant-General.

J. W. Lee,
Sheriff Monroe County, Miss.

That was construed into an intimation that military force should be employed without recourse to the civil authority, if there were wrongs to be redressed.

Q. Was that letter in response to any demand for aid from that quarter?—A. I would infer not, for no reference is made to it.

Q. I ask the question whether there was?—A. It seems that if it had been in response to an inquiry, it would have been referred to. There is none upon record.

Q. I presume that Lee was republican candidate for sheriff, then running for office?—A. I so understood. I am not properly advised in regard to that.

Q. Was Caldwell at the time of his commission a candidate for office?—A. Yes, sir; he was a candidate for the State senate. That was Mr. Charles Caldwell; and a letter of similar import was addressed to Matthews, sheriff of Copiah County, and a candidate for re-election. I know he was a candidate for re-election, though I am not certain about these other gentlemen.

Mr. BAYARD. Lee has stated here that he was.

Q. What other orders do you find which indicate preparations of a similar character by Governor Ames?—There is an order, special order No. 10, October 8, 1875:

[Special Orders No. 10.]

OCTOBER 8, '75.

Brigadier-General William F. Fitzgerald, fifth division Mississippi State militia, will order Captain W. C. Mosely's Company D, Second Regiment Infantry, Hinds County State militia, stationed at Edwards Depot, as soon as arms and ammunition are distributed to them, to report at Jackson, Miss.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

[Special Orders No. 7.]

OCTOBER 7, '75.

Lieutenant-Colonel O. S. Lee, aid-de-camp on the staff of the commander-in-chief, is hereby ordered to proceed to New Orleans, La., to make any and all arrangements with the N. O. St. L. & C. R. R. Co. for the transportation of troops and supplies of the Mississippi State militia.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

[Special Orders No. 6.]

OCTOBER 7, 1875.

Lt. Col. James J. Spelman, aid-de-camp on the staff of the commander-in-chief, is hereby ordered to muster in the volunteer company of infantry, at Brownsville, Hinds County, to be known and designated as Company F, Second Regiment Infantry, Hinds County, State of Miss.

By order of the commander-in-chief.

A. G. PACKER,
Adjutant-General.

OCTOBER 4, '75.

DEAR SIR: I am directed by his excellency the governor to inquire if it is possible for us to obtain cars for transportation of (300) three hundred men, and equipage for 200 more. The equipage will require a box-car. The time for using the train to be fixed at a day within the next two weeks. Train to run from Jackson, Miss., to Vaughn's Station, and to remain under orders until the men are returned to Jackson.

Very respectfully,

A. G. PACKER,
Adjutant-General.

E. D. FROST,
General Manager N. O. St. L. & C. R. R., New Orleans, La.

Q. In what county is Vaughn Station?—A. In the county of Yazoo.

Q. What is the date of that letter?—A. It is written October 4, and

contemplated the removal of troops from Jackson to Vaughn Station, in Yazoo County.

Q. It contemplated a movement there of five hundred men?—A. Yes, sir.

OCTOBER 4, '5.

SIR: Yours of the 30th ultimo received. General orders are issued for the militia of the State to enter active service; your offer will receive due consideration.

Very respectfully,

A. G. PACKER,
Adjutant-General.

W. R. STEWART, Esq.,
Kirkwood, Miss.

OCTOBER 1, '5.

SIR: Can you furnish five thousand (5,000) rations of pork or bacon and hard bread under the authority granted by the Secretary of War for the militia of this State?

If possible, ship immediately to William Noonan, superintendent State penitentiary.

Very respectfully, your obedient servant,

A. G. PACKER,
Adjutant-General.

To the COMMISSARY OF SUBSISTENCE,
Department of the Gulf, New Orleans, La.

SEPTEMBER 28, '5.

SIR: I am directed by his excellency the governor to transmit the inclosed duplicate requisitions for ordnance and ordnance-stores on the quota of the State of Mississippi.

I have the honor to be, very respectfully, your obedient servant,

A. G. PACKER,
Adjutant-General.

Brig. Gen. S. V. BENÉT,
Chief of Ordnance, Washington, D. C.

By Mr. MCDONALD:

Q. Do you know the amount of the requisition—the quantity?—A. It does not state here.

Q. Have you any means of determining what it was?—A. I have not at present.

Here is a letter dated September 27:

SEPTEMBER 27, '5.

D. APPLETON & CO.,
Broadway, New York, N. Y.:

At what price will you furnish one hundred copies Upton's Infantry Tactics, and ten sets of copies of the three different arms?· Answer.

A. G. PACKER,
Adjutant-General Mississippi.

Appleton & Co., are a publishing house in New York.

SEPTEMBER 27, '5.

Brig. Gen. S. J. BENÉT,
Chief of Ordnance, Washington, D. C.:

Can you furnish fifteen hundred haversacks on our quota? At what price? Please answer.

A. G. PACKER.
Adjutant-General Mississippi.

That is a telegraphic dispatch.

I said there was a similar letter addressed to Mr. Matthews, sheriff of Copiah County, to the one addressed to Lee, of Monroe County. I find one addressed to the sheriff of Lowndes County, also.

SEPTEMBER 24, '5.

SIR: I am directed by his excellency the governor to inquire if any militia organizations are needed in your county to assist the civil officers?

Are there any threats from the opposition that, in your judgment, will be carried into effect; and, if so, will it be possible to hold a quiet and peaceable election?

Very respectfully,

A. G. PACKER,
Adjutant-General.

H. W. LEWIS,
Sheriff Lowndes County, Miss.

WHERE THE PRECEDING ORDERS AND LETTERS ARE FOUND.

That was the form of letter addressed to various sheriffs, and not elicited by any report or necessity for such proceedings.

Q. Have you stated what book that was?—A. Yes, sir. This is the letter-book of the executive department.

Q. It is the official book—letter-press copies of these official communications?—A. Yes, sir; from the executive office.

Q. It belongs in what department?—A. The executive department of the government. It was obtained by me from it for the purpose of this examination.

Q. Under charge of what official is it?—A. I obtained it from the private secretary of the present governor—Governor Stone.

CALDWELL'S COMPANY.

Q. State what you know of the marching of Caldwell's company through the country to Edwards Station.—A. They were marched through the country from Jackson to Edward Station, and the people thought that the object was to intimidate, and to produce a race-disturbance from the fact that it was a colored company, many members of which had been concerned in the Clinton affair, and that between Edward Station and Jackson there is a railroad, and the transportation would be more direct and inexpensive in that way. That would be the usual way of transportation.

Q. Transportation of what?—A. Of troops.

Q. Was it armed or not, do you know?—A. Arms had been sent there, as I understand. I was not in the secret of the military organization, but, I understand, sent there ostensibly to preserve the peace. There was reason to believe, however, that it was designated to intimidate the democratic and conservative voters, and produce additional trouble between the races.

Q. When was it that military companies of colored men were sent through the country?—A. About the middle of October.

Q. Was there any obvious necessity or occasion for that military movement at that time?—A. There was none. There was a perfect state of quietude in the country.

THE GATTLING-GUN BILL.

Q. You spoke of the "Gatling-gun bill," what was that?—A. I have, I think, a synopsis of the bill.

Section 3 of the bill empowered the commander-in-chief to organize, from the enrolled militia, two regiments of ten companies each, and to purchase four or more Gatling guns, and organize a corps of select officers and men from the infantry to send with the said guns.

That was passed by the legislature which assembled on the 1st January, 1875. The date is not given.

Q. It was passed the spring before the election?—A. Yes, sir; It was called the "Gatling-gun bill," because the purchase of four Gatling guns was authorized, and they were regarded as weapons of very terrible destructive qualities. The appropriation for carrying out the purpose of the Gatling-gun bill was $60,000. Of this, $5,000 were authorized to be expended for military supplies and munitions of war. After that amount had been expended—drawn and expended—the tax-payers obtained a petition for an injunction, before Chief-Justice Peyton, against the further drawing of that money, and it was granted by him. The consequence was that, but $5,000 was expended—used for that purpose. In connection with your inquiry in reference to the troubles between the races in this county, in that canvass, I will read an extract

from an article which appeared in the Times newspaper in this city, the republican organ, which was to this effect. It appeared in September, 1875.

If notoriously bad and corrupt men are permitted to direct the affairs of the heretofore peaceful and law-abiding county of Hinds, may we not reasonably anticipate a repetition here of the scenes of disorder, violence, and bloodshed by which Warren County has already been disgraced?

This question was put to us yesterday by a prominent colored republican, and we unhesitatingly answered, Yes.

This was the first intimation I observed especially, and it seemed to me ominous that trouble would occur in Hinds County.

LETTER OF ROBERT T. ALCORN.

Q. Anything else you desire to say in response to that question?—A. There is another fact which I wish to mention in connection with the troubles in this county—in this same connection—as to the necessity of the military force. I introduce this letter, which was written September 16, 1875, by Robert J. Alcorn, the chairman of the board of registration of Hinds County. You inquired of me if there was any disturbance in the county, any necessity, for the purpose of keeping the peace, of the marching of Caldwell's company to Edwards Station, as I understand you; in reply to which I produce this letter from Mr. Alcorn, who had traveled all through the county, and was presumed to be conversant with the condition of affairs in that county. I may say also that he was and is a leading republican; was recently appointed to an important office in this State by General Grant.

Q. State the office?—A. Receiver of public moneys. His letter was in these words:

UTICA LETTER—REGISTRATION.

UTICA, MISS., *September* 16, 1875.

To the EDITOR OF THE DAILY TIMES:

We closed our work here yesterday evening, and I am pleased to note that nothing was said or done to wound the feelings or disturb the equanimity of any one. We have registered and renewed at this place the papers of three hundred and thirty-six electors, out of which number one hundred and eighty-six are colored. Persons of both political persuasions registered without let or hinderance. The citizens of Utica have treated us kindly, for which we desire to publicly thank them. They are well skilled in the code of hospitality, and our stay in their midst has been pleasant and agreeable.

We are now off for Cayuga, where it is said the registered colored vote somewhat preponderates that of the white.

Hastily, yours,

ROBT. J. ALCORN.

DEMOCRATIC IMPRESSIONS OF GOVERNOR AMES'S PREPARATIONS.

Q. I would like to ask you what effect upon the public mind—the condition of public feeling, had these measures adopted by Governor Ames. I mean what effect had they in suggesting the idea of violence to the public mind?—A. His military operations and preparations, marching and countermarching the troops, most of which were colored—all of them were colored, I may say—had the effect of inducing the conservatives and democrats, and others, who desired a change of administration for the causes which were enumerated in the petition of the republican club of Jackson, and of the tax-payers convention to think that it was the determination to carry the election by force, or intimidation, and by military violence if necessary.

Q. Had not these threatened military expeditions to Yazoo and other counties, the effect of alarming the white people and democrats very much?—A. They had the effect of inducing them to believe that Gover-

nor Ames was endeavoring to carry the election by military violence and force. I could not say it alarmed them especially; but induced them to believe there was great danger of disturbance.

Q. Do you attribute to Governor Ames's course, which you have stated here, in regard to calling out the armed forces of the State at a time when you say there had been no disturbance, do you attribute to that a suggestion of violence that led to any conflict afterward?—A. I believe that in part caused the disturbance that occurred in our State.

ABOUT MR. CHASE.

Q. State what you know of the man, G. K. Chase, as a Government detective in this State during the canvass of 1875?—A. Mr. Chase came here, I think, about two months before the election, to Jackson, and soon after he came he sought an interview with General George, who was chairman of the democratic State committee. He told General George that he had been appointed to a confidential mission of great importance, and desired to have a full and free conference with him.

General George replied to him that he would be glad to do so, and would certainly have such an interview with him with pleasure, and desired I should accompany him, inasmuch as I had been designated as one of the advisory council of the executive committee, and desired to have my counsels in any of the conversations that might be held.

Mr. Chase assented, and this conference was held. He stated to us that he was sent here by the President, at the instance of the Attorney-General, Mr. Pierrepont, for this purpose. He said that General Ames had made application for troops, for Federal troops, and that the public sentiment of the country was very much averse to the interference by the Administration in the affairs of the State by military force; that Mr. Pierrepont believed that the necessity did not exist here, and that it could be avoided; but before taking definite action upon the application of General Ames, he was sent here to make a full investigation of the condition of affairs, and report to him regularly.

With that view he wished to put himself in confidential relations with the leaders of the democratic party, in order that he might hear both sides, so that he could reach a fair and just conclusion.

These relations were then established.

Mr. Chase was in constant communication with the chairman of the executive committee and myself, and after what is known as the peace conference between Governor Ames, a settlement having been agreed upon, Mr. Chase explained the conditions of the canvass on the side of the republican party fully to us.

He invariably brought the letters and other reports which were made from the various counties to Governor Ames, stating any causes of discontent in the progress of the canvass.

ALLEGED HIS AUTHORITY.

Mr. Chase said he had authority, if he believed it was necessary, to call for troops, and that they would be sent.

Up to the hour of the election, you may say, this constant communication between him and the democratic authorities continued; and the fact that the troops were not called for justifies his statement to us that no necessity existed for it.

I will state that Mr. Chase represented himself to be a republican and the special friend of Mr. Pierrepont, and the agent of the administration, and he performed the duties of his mission with strict impartiality; and it is very much to be regretted that his report of the canvass was never published.

Q. Did I understand you to say that Mr. Chase informed you that he had authority to bring here, if necessary, Federal troops to interfere in the canvass?—A. He said that a word from him would bring troops at any moment.

Q. Then your canvass was conducted under that constant threat upon the part of the Federal administration, through their agent, (Mr. Chase?)—A. It was, sir; for that communication was made to us as often almost as we saw him. And we we were enjoined to use our influence against violence and any cause that would bring about or create disturbance.

Q. Was he, at the same time, in constant intercourse with Governor Ames?—A. He was staying at Governor Ames's mansion. In other words, he was, for the time being, a part of his household.

Q. Did he submit to you the reports and statements made to Governor Ames of alleged disturbances, and causes of disturbance, throughout the State?—A. He did.

Q. Were you called upon by him to respond, and to explain these facts?—A. The chairman of the executive committee was called upon to explain them.

Q. As I understand, you were present?—A. Yes, sir; submitted to me and General George. When any explanation was to be made, an inquiry was at once instituted, and Mr. Chase expressed invariably satisfaction with the results of the investigations thus made.

Q. The reports made to Governor Ames and the responses obtained by you were both submitted and discussed with Mr. Chase, the Government agent?—A. They were invariably.

Q. Did he remain here until after the election?—A. Yes, sir.

Q. In the election here of Governor Ames?—A. Yes, sir.

Q. Did he state personally to you, or in your presence, his general view of the result?—A. Yes, sir; four weeks before any other one. I will say here that I would not have consented to have introduced his name, at least to have responded to any inquiry, but for the introduction of his name in the testimony given by Governor Ames.

Mr. BAYARD. Ames himself advised the committee to call for this report, as his testimony shows.

CHASE PREDICTS REPUBLICAN DEFEAT.

A. Several weeks before the election was held, Mr. Chase informed me confidentially, as his opinion, with the full knowledge of the progress of the canvass on the part of the republicans, that that party would be overwhelmingly defeated at the election. I expressed some doubt about it, because I was not able to understand the disorganization and breaking-up of the party as he understood it from the position he occupied. He said he knew from facts that he would constantly be receiving that the current of sentiment and feeling was going altogether against the State administration and Governor Ames. It was overwhelmingly defeated, but he was the first man who made that prediction. That gave me more confidence, I will state, in the result than I derived from any other source.

Q. From his statement as to the progress of the canvass on the republican side?—A. Yes, sir.

CHASE HAD DETECTIVES.

Q. Do you know whether he had detectives under him, sent to different parts of the State?—A. He told me he had two, whose names he did not give me. That seemed to be the only secret he held back.

Q. These men were sent through the State during the canvass

operating with him?—A. He said they were sent to counties where violence was reported.

Q. Did you know whether he received constant reports from the detectives of what was going on?—A. He so stated, and even submitted an abstract of their report to General George.

Q. And a request was made to General George to account for the facts—to explain them?—A. Yes, sir; that was the effect of his submitting them.

Q. Did you on these occasions send to the quarter where the complaints were made to obtain testimony?—A. Invariably, promptly, and by telegraph.

Q. And submitted your answers to him?—A. Invariably we communicated the answers we received; and invariably he expressed himself satisfied with the action taken, and the results following the inquiry.

CHASE'S SOURCES OF INFORMATION.

Q. Had not Mr. Chase not only all the means of information that Governor Ames had, but also additional and secret means of his own through his detectives, for learning if your answers and statements were correct or not?—A. He brought and laid before us the letters and other papers which were sent to Governor Ames, and therefore his opportunities were ample to know everything that Governor Ames knew in connection with the canvass from these sources, and he had besides his own detectives, whose names he declined to give.

Q. Do you know where they operated?—A. He told me in Yazoo County for one, I remember especially, because upon statements he received from his detectives, and from some other sources, we had occasion to make inquiries and investigations.

Q. Do you mean that the operations of the detectives were confined to that county?—A. No, sir. He stated that they were in other counties, but I remember that he mentioned their being in Yazoo County especially.

ABOUT THE GOVERNOR'S MANSION BEING FIRED INTO.

Q. Some witnesses have been before this committee—colored men—who have stated that the governor's mansion has been an object of attack, and I would like to state to you here what Governor Ames said on the subject:

Q. (By the CHAIRMAN.) Did you, at any time, receive threats or intimations of bodily harm to yourself?—A. As I stated yesterday, no attempt has ever been made to intimidate me personally. Of course no person ever came to me and said that if I did thus and so, certain consequences would follow; but the mansion where I live was fired into.

Q. (By Mr. BAYARD.) At what time?—A. Just previous to the election.

Q. (By the CHAIRMAN.) During the day or at night?—A. This was at night. I may say, however, that I did not, at that time, consider myself in any personal danger: I did not think that they could well afford to assassinate me. I thought it would be too great a political blunder, so I really had no feeling of that kind, but since then I have been informed that the thing was seriously considered. People were seen firing into my mansion, and the trees were cut. There was a bullet-hole or two in various parts of the mansion.

Q. This testimony, some of it at least, referred to the democratic conservative meeting which was held here in the city of Jackson, on the 27th of October, just before the election.—A. Well, I will state that previous to that meeting, when it was known there would be a great crowd of persons, inspired by the enthusiasm of the canvass, when there would be banners, music, and all that sort of paraphernalia, which gives interest to a political canvass, and it was determined by the democratic authorities that no device, no flag, no banner, and no thing should

appear in that procession, or in the proceedings in any way to cast ridicule or wound the sensibilities of Governor Ames.

A treaty of peace had been established, as it was called between him and the democratic authorities, and it was felt that it was due to him that there should be no exhibition of that sort.

DEMOCRATS WATCHFUL THAT NO INDIGNITY SHOULD BE OFFERED TO THE GOVERNOR.

The consequence was that we were especially watchful that no indignity should be offered to Governor Ames during that meeting, or by the procession on the march.

Upon that principle, on the occasion to which reference is made, I myself was anxious to see to it that no indignity should be offered to the governor; no hostile demonstrations of any kind, whether firing of guns or pistols, or making even jesting remarks, and I took a position before the head of the column reached the mansion directly in front of the office, that I might see what might occur. I remained there until the procession had passed.

I do solemnly aver that if any pistol was fired, or remark make reflecting upon the governor, or offering indignity to him, I did not see it, and I was in a position to hear and see whatever occurred, certainly.

As to the perforation of trees there by bullets, I suppose it could be verified by an examination, but I certainly heard no pistols. I took that position directly opposite the governor's mansion in order to see that the pledge of peace which had been made should be fulfilled, and that no indignity should be offered to the governor, because we desired the agreement should be carried out.

Q. How far is the office where you were to the gubernatorial mansion?—A. About 250 yards.

Q. You were near enough to hear any firing, or any disturbance?—A. Yes, sir.

Q. Were you constantly at your office during the next night and for a couple of weeks preceding the election?—A. I was occasionally, not constantly—frequently. Of course it is not my habit to remain, except on such occasions.

Q. Were you aware that for twenty days prior to the election, and two days afterward—I believe it embraced that—that Governor Ames had colored men stationed around his house as guards, inside of his fence?—A. I will say personally I was not aware of it, but I heard it so stated.

NEVER HEARD ANY FIRING.

Q. Did you ever hear evidence, or have any knowledge or information, that there was constant firing at night toward the mansion during those twenty days?—A. No, sir; I never did. I am quite sure I should have heard it. I will remark that there is a police constantly on duty at all hours of the night on the streets to arrest any disturbance of that sort, or anything of that kind.

OFFICERS IN JACKSON LAST FALL.

Q. Who was mayor of Jackson last fall?—A. Mr. McGill.

Q. Who was he?—A. A gentleman who was raised here, and a republican, and a supporter and friend of Governor Ames, and candidate on the republican ticket, so-called.

Q. Who was sheriff of the county at that time?—A. A colored man by the name of Harvey. I think he was a candidate here; I do not know certainly. He lived here; had his office here at that time.

Q. He was the man nominated with Williams?—A. No, sir.

Q. What body of police force was there at that time?—A. It was small, but sufficient, we thought, to keep the peace in a town of five thousand inhabitants.

Q. Were the police under the command of the mayor of the city?—A. Yes, sir.

Q. Your mayor was personally and politically entirely in accord with Governor Ames?—A. Yes, sir; and also the police were under the command of the city marshal, who was a colored republican.

Q. Did you ever hear or know of any complaint made by Governor Ames, or any one in his behalf, of the affair that has been mentioned?—A. No, sir.

Q. Would or would not the discharge of fire-arms in the town be followed by an arrest of the parties, if known?—A. Yes, sir; it would.

Q. Who was the district attorney last fall in the county?—A. Mr. Fitzgerald, who was also appointed brigadier-general by General Ames.

Q. He was politically a friend and associate of General Ames?—A. He had recently attached himself to the republican party.

Q. Was he at that time personally and politically an associate of General Ames?—A. Yes, sir; and he was a brigadier-general of militia.

Q. Was he in this town about that time?—A. Constantly, sir. General William Fitzgerald appointed brigadier-general, and, after that, district attorney.

Q. At the same time?—A. Yes, sir. He was district attorney also; appointed by General Ames to fill a vacancy.

COMPARATIVE NUMBER OF STATE CONVICTS.

Q. Have you any statement relative to the number of convicts of this State for the last few years?—A. Yes, sir. I have a very complete statement, which I will give you:

In 1870.	White males		64
	White females		1
	Total white		65
	Colored males		171
	Colored females		8
	Total colored		179
In 1871.	Remaining in prison January 1		234
	Received white males		22
	colored males	104	
	colored females	4	
	Total colored		108
In 1873.	Received white males		35
	colored males	243	
	colored females	8	
	Total colored		251
In 1875.	Total number in prison		494
	White males		48
	Colored males		435
In 1876.	Total number received since March 10, 1876		158
	White males	11	
	Colored males	139	
	Colored females	8	
	Total		158

Two years are omitted because I have not the statistics.

Q. Where did you obtain these figures?—A. From the report of the superintendent of the penitentiary.

By the CHAIRMAN:

PERSONAL STATEMENT.

Q. Were you in Congress before the war?—A. I was not; that was my brother, William Barksdale.

Q. You were clerk of the democratic executive committee of the State?—A. I was not. I stated that I was a member of the advisory council of that committee. J. Horace Potter was one of the other members, and hence I was taken into the council and consulted by the chairman.

Q. What means of information had you at that time, in 1875, in regard to the State at large, as to the state of public sentiment and conduct of the canvass?—A. By the reports which were being made to the executive committee of the democratic conservative party, and the reports which came to the executive, which I had an opportunity of seeing through Mr. Chase, on the part of the republicans.

NO ASSESSMENT FOR SCHOOLS BEFORE THE WAR.

Q. Previous to the war was there an assessment for the support of the public schools in the State?—A. There was not. The sixteenth section, as it was called, was set apart for the support of public schools.

NO PUBLIC DEBT BEFORE THE WAR.

Q. Was there any public debt in the State on which interest was paid?—A. No public debt properly. The State was custodian of some trust-funds—the Chickasaw shool-funds especially—but there was no public debt.

ABOUT CERTAIN BRANCHES OF PUBLIC SERVICES NOT MENTIONED IN STATEMENT OF EXPENSES.

Q. What branches of the public service have been included in the statement of expenditures, since the re-organization of the government, that were not included previous to the war, besides the educational fund?—A. None that I remember.

Q. Any change in the size of the legislature?—A. There has been some addition to the number of counties, and therefore to the number of members, probably half a dozen in the senate and possibly ten in the house.

Q. What is the fact in regard to the judicial force; is there a larger judicial force now than before the war or not?—A. The judicial force is very little larger now, because it was reduced nearly one-half by the legislature, the democratic legislature which now exists. It was nearly double in the republican administration which preceded it.

Q. You say it has been a good deal reduced, one-half?—A. Nearly.

Q. How many chancellors last year, and how many now?—A. Twenty last year, and now ten.

Q. How about the circuit-court judges?—A. I believe that has about the same proportion, though about that now I might err in my statement as to the number of the judiciary. My attention was not especially called to it.

Q. Has there not been a pretty large expenditure by the counties for school-houses during the last five years?—A. A pretty large expenditure has been reported, I think, but not actually made, because the school-houses are very defective, imperfect.

ERECTION OF SCHOOL-HOUSES.

Q. Have school-houses been erected in all the counties?—A. Yes, sir;

some have been erected, but they are not very numerous nor commodious.

Q. How many erected in this county?—A. I do not remember.

Q. Do you remember any county?—A. No, sir; I cannot give you the details on this subject.

Q. How do you reach the conclusion, then, that there has not been a pretty large number erected in the State?—A. I reach it from the statements I have seen from various sources in reference to this subject, and from the reports that are made by the heads of the department; and also, furthermore, I speak in reference to what came under my personal observation, though I could not give detailed statistics on the subject, for I have made no special examination in reference to it.

Q. Could you say whether fifty in this county within the last six years?—A. I could not say.

Q. Have there been some normal schools established in this State at the expense of the State since the war?—A. There have been some schools for which the State has made appropriations—yes, sir, yearly appropriations.

Q. Do you know the number of these schools, and the amount of money appropriated?—A. I know of two only. I do not know the amount of the appropriation. These facts could be easily obtained by reference to the reports. The superintendent is J. S. Southwright.

By Mr. CAMERON:

NO GENERAL SCHOOL SYSTEM PRIOR TO THE WAR.

Q. Was there any public-school system in the State of Mississippi prior to the war?—A. No general system. There was a fund derived from the sixteenth section, as I have mentioned, but not a general public-school system. Schools were most all private, and supported by private subscription.

Q. What was done with the avails of the sixteenth section?—A. In some cases they were sold, and the proceeds appropriated to public schools, or the interest of them appropriated to the support of auxiliary schools.

Q. But no general system?—A. There was not, sir.

NEVER HEARD OF DEMOCRATS DEMANDING DIVISION OF TIME.

Q. Has this fact came to your knowledge that in the county of Monroe the republicans appointed their public meetings to be held throughout the county, and after these meetings were so appointed by the proper republican authority, the democrats, knowing of these appointments, appointed democratic meetings to be held at the same times and places, and after coming to the ground at the time of the meeting, they have asked for a division of time? Is that a fact coming to your knowledge?—A. No, sir.

Q. Have you ever heard anything of that before?—A. I never have.

Q. If such had been the fact, is it probable, in your opinion, that the democratic State central committee, of which I understand you are a member, would have been advised of it?—A. I was a member of the advisory board.

Q. Is it probable, from the official position which you held on that committee, you would have been advised of that?—A. It was a county proceeding strictly. It might have occurred without the democratic central committee being informed of it; I cannot say.

Q. In point of fact, you never heard of it before?—A. No, sir; never before.

THERE WERE ARMS AT THE CLARION OFFICE.

Q. What number of arms were in the Clarion office on the night prior to the last election?—A. I do not know.

Q. Were any?—A. Yes, sir.

Q. Can you give the committee any idea as to the number?—A. I suppose probably 40 or 50.

Q. Who had deposited them there?—A. The volunteer company of citizens here, apprehending that there might be a disturbance the next day.

BUT DOES NOT REMEMBER WHO COMMANDED THE COMPANY.

Q. Who was the commander of that volunteer company?—A. I do not remember.

DOES NOT KNOW WHO ANY OF THE COMPANY WERE.

Q. Who were members of it?—A. I do not know.

Q. Do you know any members?—A. I did not know who any of them were.

Q. Can you name any?—A. I cannot, because I was not a member of the organization myself, and I do not know who the members were.

Q. When were those arms deposited in your office?—A. I think very probably they were there for several weeks before the election, after these disturbances were gotten up. I was apprehensive that there would be violence myself at that time, and they were deposited there for protection.

KNOWS OF NO OTHER ARMS SUBJECT TO DEMOCRATIC CONTROL.

Q. What other arms were deposited at any place in this city subject to the control of the democratic organizations?—A. I know of no others, sir.

Q. Have you any information of any?—A. I have none. I will mention that these arms which were deposited at the office were kept there under guard, and were intended to be used simply for the purpose of protection in the event of a difficulty, which it was apprehended might result from the excitement which had been produced.

EXPENSES OF THE JUDICIARY INCREASED.

Q. I think you stated that the expense of the judiciary system in this State had been increased very largely since the republican administration had been in power in this State?—A. Yes, sir.

Q. Is that owing in part to the fact that the negroes began to be litigants in those courts and are subject to prosecutions?—A. No, sir; I do not think so.

ABOUT THE JUDICIARY EXPENSES.

Q. You think this had no influence whatever?—A. No, sir. I will give you the reason for my opinion. It is, that the present legislature, the present democratic legislature, made an appropriation of only $70,000 for the expenses of the judicial department during the present year, whereas the average expense up to that time since 1870, since the first republican administration was in power, amounted to $312,000 a year. That inasmuch as but $70,000 were required to be appropriated in the conduct of that department during the present year, while the negroes have all the rights which belong to the whites and avail themselves of them, I think that is not one of the causes.

Q. When does the fiscal year of this State commence?—A. The 1st of January.

Q. Do you know what amount of the $70,000 has been already expended?—A. I cannot state. I will mention that my information upon

that subject was obtained from the auditor of public accounts, the deputy auditor, Colonel Hamilton, whose statements I have here before me, and which is $70,000 for the year.

CANNOT STATE THE DEMOCRATIC STATE GOVERNMENT EXPENSES DURING THE WAR.

Q. Can you give the committee the statistics of the democratic governments of this State during the years 1861, 1862, 1863, and 1864?—A. I cannot; these are the years of the war, and very little attention was paid to the finances of the State. I have never made any investigation during the years mentioned. The circulating medium was very variable, and it would be almost impossible to reach a safe conclusion as to what the expenses really were during those years. I have no information really upon that subject.

RELATIVE VALUE OF GOLD AND CURRENCY DURING AND AFTER THE WAR.

Q. As a matter of fact, was not the currency prior to the war of greater value than the currency during the war—I do not mean during, but after the war—during the years, the expenses of which you have stated?—A. Yes, sir; the difference between currency and auditor's warrants, do you refer to that? Gold and silver was the currency of the State before the war, and auditor's warrants were then equivalent to gold and silver. Since, say from 1870 to 1875, they were worth on an average about 75 cents, and now worth 98 cents.

Q. In point of fact, before the war, the currency was gold and silver, and since the war it is greenbacks, and they are different in value.—A. Yes, sir.

Q. In giving your statement of expenditures before the war and since the war, did you take that fact into account?—A. I did not.

DESTRUCTION OF PUBLIC PROPERTY DURING THE WAR.

Q. Is it, or is it not, a fact that, during the war, many of the public bridges in this State were burned, or otherwise destroyed; many of the public edifices were greatly injured; and the levees on the Mississippi River were also greatly injured and neglected?—A. Yes, sir.

ALWAYS A DEMOCRAT.

By Mr. McMILLAN:

Q. You have been editor in Jackson here during a number of years past?—A. I have, with an interval of four years, since 1851.

Q. You are a democratic editor?—A. Yes, sir.

Q. And you have always taken a part in the affairs of the democratic party in the canvass as it occurred?—A. Yes, sir.

Q. You have always been connected with that party?—A. Always.

By Mr. CAMERON:

Q. Is your paper the present official paper of the State?—A. Yes, sir.

WHAT WITNESS LEARNED FROM MR. CHASE.

By Mr. BAYARD:

Q. You say that you were in constant intercourse with Mr. Chase, the Government agent, by which you were enabled to learn something of the republican plan of the canvass, and of its progress?—A. Yes, sir.

Q. Will you state whether it was understood as a part of the plan of the canvass—whether or not—A. I would not say it was the republican plan of the canvass; it was rather the progress of the canvass, be-

cause he did not divulge the secrets of the organization farther than making complaints as to the troubles.

Q. Will you state whether it was understood as a part of the plan—whether or not Governor Ames was to go to the Senate in case his party had been successful?—A. That was the understanding. It was understood that in the event of the success of the party, Governor Ames was to be elected to the Senate. That seemed to be the general understanding. I could not, however, give you any definite or satisfactory evidence probably upon that point, because I was not fully in the secrets of the party.

I will say that Mr. Chase did not express that intention of the republican party to me. He knew it.

Q. How distant is the county of Monroe from here?—A. It is about 180 miles, I suppose, by railroad.

Q. State whether or not discussions are customary in the political canvass in this State.—A. They have been.

Q. Is there anything unusual in the fact that democrats attend the republican meetings, or that republicans attend democratic meetings?—A. Nothing whatever; it is, on the contrary, quite usual.

Q. What is the custom as to dividing the time?—A. Almost invariably done. When one party applies to another for the purpose of discussion, it is regarded as an act of justice and civility to give it an opportunity of being heard and participating in the debate.

BOTH PARTIES BEAT DRUMS AND FIRE CANNON.

Q. It has been testified before this committee, as one of the alleged attempts at intimidation, that cannon were carried in procession and fired off, and drums were beaten, and so on. Will you state whether or not it is unusual in political canvasses in this State?—A. It has been the invariable custom in this State. The republican club in this city has never appeared without a signal of the beating of a drum through the streets, from the beginning of its organization, and the democrats have resorted to this same means.

Q. Is there anything unusual or startling in the firing of salutes by cannon through the canvass by either party?—A. No, sir; it has always been the custom here by all political parties.

Q. Do you know whether, as an expedient for making a similar noise, the use of anvils has been resorted to?—A. That was the substitute for cannon when cannon could not be obtained.

Q. Do you know whether the late republican ratification meeting held here was not accompanied by the firing of cannon last week?—A. Yes, sir; it was.

Q. Do you know what cannon it was?—A. I do not know. I have never made any inquiry. I heard the report, and I suppose it was probably obtained from the military camp; though I am not advised upon that point.

Q. You mean the United States camp.—A. Yes, sir. I do not know; I merely suppose that, or infer it. During the last canvass the general in command of the garrison here loaned to both parties the cannon.

Q. Governor Ames in his testimony at one time stated the loan of a cannon, by the officer in command of the detachment of troops here, to the democrats. He subsequently stated that it had been loaned to both parties, and did not mean to accuse the officer in command of favoritism. Do you know whether the cannon was or was not loaned by the United States officer to both parties during the last canvass?—A. It was loaned to both parties.

Q. Do you know any other cannon but this one which belongs to the United States?—A. Yes, sir.

Q. What is it?—A. I do not know what. It is occasionally fired by the democrats.

Q. Does it belong to them?—A. I do not know whether it does or not. I know that occasionally they fire both; but as to whom it belongs I cannot say. It is a small piece, very small.

Q. What I wish to know is this: witnesses have stated here, and have made intimation of the firing of cannon in processions at night. I merely wish to know if such was a customary thing in all political canvasses on both sides.—A. Yes, sir; the commander of the United States troops here loaned the cannon—the gun belonged to the garrison—to both parties during the canvass, and it was used for the purpose of firing salutes, and so on.

ABOUT GENERAL GEORGE.

By Mr. McMILLAN:

Q. Was General George the chairman of the State executive committee of the democratic party during 1875?—A. Yes, sir.

Q. Was he a candidate for the United States Senate before the democratic legislature elected at the last election?—A. Yes, sir; I will mention, if you will permit, that he was not a candidate until after the election. I heard him state during the canvass that he was not a candidate; I heard him tell Mr. Chase so.

MRS. HAFFA—HINDS COUNTY.

WASHINGTON, D. C., *July* 7, 1876.

Mrs. ALZINA F. HAFFA sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Have you lived in Mississippi, and if so, how long?—Answer. Yes, sir; it will be seven years next February since I went there.

Q. Where did you live before that?—A. In Philadelphia, my native place.

Q. What was your husband's name?—A. William P. Haffa.

Q. Did you go to Mississippi with him?—A. Yes, sir.

Q. He is not living now?—A. No, sir.

Q. Will you state to the committee the time when he died and the circumstances of his death?—A. Do you desire me to state anything previous to that?

Q. You can state just what took place in Mississippi that you think important.—A. We were there about two months and a half or three months——

Q. When did you go there?—A. In February.

Q. What year?—A. 1870—seven years next February. Mr. Haffa went there for the purpose of raising cotton and corn.

Q. Where did you live?—A. In Hinds County, third district.

VISITED TO DEFINE HIS POLITICS.

Q. Near what town?—A. I cannot tell you how many miles from Vicksburg, I don't remember; but we lived within a few miles of Auburn, Miss.; I think it was two or three miles.

After we had been living there about three months we were waited upon by the owners of the land, and they asked Mr. Haffa whether he was a friend to the white people or to the nigger, using a profane word. They called him outside and I followed him and stood at the door and heard what they said.

Q. Do you know who these people were?—A. Frank and William Bush the owners of the land. William Bush was not an owner, but Frank was. William Bush was the agent for his wife and did all the business connected with the estate which belonged to his wife. Her name was Molly Bush.

Mr. Haffa said he was a friend to any one, be he black or white, that was deserving of his friendship. Then they said to him, "We understand that you are a friend of the nigger," using profane language; and they made some other remarks, I don't remember what; but they went away, and a short time after that they came back and inquired for him. He was not in; he was out in the field. They went out there where he was, and my little boy, who was out there, said that they used some insulting language toward Mr. Haffa, and that they threatened him. He came in very much excited from the field and said to me, "Mamma, I am afraid there will be difficulty here."

ELECTED JUSTICE OF THE PEACE.

Then the colored people nominated him for squire—magistrate—and he received his appointment from Governor Alcorn, who was then governor of Mississippi. That raised the indignation of the white people. They declared no northern man should come down there and rule them. So they sent up a number of petitions to have him removed. Governor Alcorn said there was nothing against him that he could find out, and unless there was something else against him than his birth he could not do anything, as long as it was the desire of the majority of the people, who are colored people.

So then he fulfilled his office for two years, and the first election came on and he was renominated for the same position, and he was elected by the people at that time. Then he had occasion to have some business with these people, the Bushes.

MR. HAFFA LASHED.

Q. Was it private or public business?—A. I have forgotten now; I cannot say. They came to the house one Saturday afternoon; I don't know what time it was, but anyhow they got the colored people all to leave the premises except one, an old colored woman; she could not get away. They came to the house and asked me if Mr. Haffa was in. I said, "Yes." They said they wanted to see him. I went to the door as usual—I always went to the door when there was white people come around, for I was very much afraid of them myself.

So they got him out by a tree a short distance off, and they had hitched their horses to that tree. I watched them, and they took a cowhide and commenced to lash him very freely with it. I ran out and grasped him around the waist. They said, "We will show you what southern blood is." Mr. Haffa never said a word. I said, "Mr. Bush, you have a wife in heaven and a child also, here; remember what your fate will be. I am here among strangers." He says, "Well, you have got no business to be down here among such an illiterate class of people."

MRS. HAFFA INJURED.

And, finally, I kept on, and I presume it lasted over an hour, perhaps two hours; and they kept on until they got up to the house,

and then Frank Bush took hold of me and threw me violently against a sill in front of the door, and the effects of it I have never got over yet. I was laid up in consequence of it for about a month. I was taken to Jackson, Miss. Senator Caldwell, of Mississippi, a colored man, paid my expenses there, which cost him $50. I was there for a month to be recuperated; I was not able to be home at all; they had no hopes of me.

In the mean time Mr. Haffa had gone to Jackson to have his bond for his position as magistrate for the second term. He was there for a few days and then went back and attended to his business, leaving me there.

HER HUSBAND INSULTED—HER BOY FIRED AT.

Then I went home, and there was nothing of any moment occurred for several months. Then Robinnett, a brother-in-law of these Bushes, met Mr. Haffa coming from the depot with my little boy, who was on a mule, and Mr. Haffa was on a horse. Robinnett came up to Mr. Haffa and took hold of his whiskers, and told him he wanted him to come down off his horse and he would have it out with him there. Mr. Haffa somehow got away from him and put spurs to his horse and the horse ran, and then Robinnett fired at my little boy.

ATTEMPT AT ASSASSINATION.

Owing to the excitement he could not get out any warrant to have the man arrested, and there was never anything done with him. So, repeatedly after that, the Bushes made attempts at Mr. Haffa, and Mr. Haffa had always somebody with him wherever he went. He had to be guarded by the colored people. Even in going to the stable, which was no farther than from here across the street, he was afraid of his life. One evening after he came home from the depot—he went there generally of a Saturday to get his mail—a son of a member of the board of supervisors—I think he was a supervisor; he was an officer anyhow; his name was Fatheree. I always answered the door if anybody called at night, and, in fact, in the daytime as well as night, for I thought I might do better than Mr. Haffa. He came to the door and says, "Is Mr. Haffa in?" Says I, "Yes, sir." He says, "I wish to see him on business." I said, "Won't you alight and walk in?" He said, "No." I went in and told Mr. Haffa, and I went out with a candle, and he says to me, "Mamma, you go in; it is too cold for you here, you will take cold." The young man says to him, "Send your wife in; I want to talk about business and it is not prudent for ladies to be present." There was a colored woman, a school-teacher, there, standing by me. Mr. Haffa then spoke in a more emphatic manner than usual, for me to go in, and I went to turn around with the candle to go in when this colored woman just shook her head that way, [indicating,] and I said, "I will not go in;" and I turned, and at that moment saw a pistol aimed at Mr. Haffa. He had it cocked, but Mr. Haffa snatched it from his hand, and made him get down off his horse, and put him in the cotton-house and locked him up until next morning. In the morning he knocked at the door and prayed to be let out, and asked Mr. Haffa's pardon, and said he did not intend anything.

Mr. Haffa thought, probably, on account of the feeling, that it would be better to be lenient than to use harsh means, though he had him in his power; so he let him out; and said he, "Squire, won't you give me my pistol?" It was a small Derringer pistol. Mr. Haffa said, "I don't know that I will." He said, "Will you give it back to me, please? I will promise you I won't do any such thing as that again, and I am very

sorry for it, but I was put up to do it." Mr. Haffa said, "Who put you up to do it?" and he would not say who it was; and he gave him back his pistol, and he went home.

Two or three days after thath is mother called on me—Mr. Haffa was absent at the time—and made an apology to me for the conduct of her son. Mr. Haffa says, "We will think nothing about it; we will let it slide, as long as he made reparation for it. In that way probably I can overcome them by kindness."

MRS. HAFFA TEACHES SCHOOL AND ADVISES COLORED VOTERS.

Then he came on North here and remained a year, and he left me there as teacher. I have been teacher there ever since the public schools have been in vogue. The school-house was only twenty or thirty yards from my house, and we held all our club meetings there, and in the absence of Mr. Haffa I attended to the business of the colored people; was their secretary part of the time, and I did various other things for them.

During the election of McKee the colored people waited on me and asked me if I would persuade them to vote for McKee. They left it all to me whether he was the right kind of a man for them to have to represent them in Congress. I had heard Mr. Haffa speak very happily of Mr. McKee as well as several of his intimate friends at Jackson, one of whom, I think, was Captain Fisher: so I said to them, "Vote for McKee; vote the republican ticket straight through; don't allow anything to influence you against voting that ticket." They had implicit confidence in me from the fact of my being there so long; and they always consulted me in every respect during Mr. Haffa's absence.

I taught day-school and night-school up to the day of Mr. Haffa's murder. He came back, I don't remember exactly what time, but I think it was in May—April or May, somewhere.

MR. HAFFA TEACHES SCHOOL.

Q. How long ago was it?—A. I think it was three years ago last May, if my memory serves me right. The colored people waited on him and asked him if he would take their school to teach, about seven miles from there. He said he did not know whether he would or not. They asked him if he would take an office at the next election. Said they, "We are determined to have you somewhere, because we are afraid we are going to lose you. We are very much afraid of that, and you have got to remain here with us."

He always consulted me in every question; said he; "Mamma, what would you advise me to do?" Said I, "Do just as you think best. If you think it will be remunerative, perhaps you had better take the school." He said he would give them an answer. So they came again, and he finally determined to take the school, and he taught the school up to the time he was assassinated.

WARNED OF IMPENDING DANGER.

The school closed on Friday, and the public school was opened the following Monday; and on Monday, the 6th of September—I have forgotten whether it was between two and three or three and four o'clock in the morning—but my affidavit that I made out in Jackson has the precise time, but I have forgotten now. There was a number of colored people waited on Mr. Haffa on the Sunday before. He attended their Sunday-school, and always preached there Sunday for the colored people; and he came back and they said to him, "Squire, don't you feel afraid of your life? Don't you feel timid?" He said, "No; I am not timid." They said that the white people said they were going to destroy very many, and that they were not going to escape a limb, and

that he was mentioned as one of them. Said he, "O, no; there is so much braggadocio about them, I don't suppose they will harm me now, after we have been living here so many years, and they have attempted it so often."

A FEDERAL OFFICER APOLOGIZES FOR HIS NEGLECT OF DUTY.

I neglected to say that when we were first struck, how he would take it to court, and a gentleman that has a United States position, he came to him and apologized for not doing his duty to him. I think he is now United States marshal. When we first went there he was sheriff, and the Bushes were wealthy, and he said, "Mr. Haffa, it is no use for you to be butting yourself against the bricks while you have no money and the Bushes are wealthy, and you might as well drop the case right away, for you can't gain anything."

But Mr. Haffa laid his damages at $10,000. I heard Mr. Haffa say that himself; and he got defeated out of it. Through Mr. Lake not sending the papers to the proper place at the circuit court our damages were all lost and we never got anything.

When the election came around again Lake came to Mr. Haffa and apologized to him. He said, "I am very sorry for what has happened; it was my fault that those papers did not reach their destination." Says Mr. Haffa, "Is it so?" Says he, "Yes."

Q. Do you remember Mr. Lake's first name?—A. No, sir. They told me that he had a position there when I was in Jackson.

ASSASSINATION OF MR. HAFFA DESCRIBED.

We were aroused by the barking of our dog furiously, on the morning of the 6th of September. I holloed, "Who is there?" and no answer. I repeated it, and there was no answer. And then Mr. Haffa got up and said, "Who is there?" They said, "We will let you know who is there;" or, "You will know who is there," or something to that effect; and I said, "My God! they have the yard full of men." I presume there were from 50 to 75 men barricading the whole of the house. And they had not only armed themselves with one or two weapons, but they had some of them half a dozen, because I could see them. They had them buckled around them, besides the musket that they carried.

They tried to unfasten the door to get in, but we had a small crevice where we could insert our foot between the door and the sill, and I inserted my foot between the door and the sill and kept the door closed, and they could not get in. My daughter assisted me also. Finding they could not get in, they finally took one of the fence-rails and broke the door down and part of the furniture; and we were holloing all the time, "Murder! murder!" and no one came to our assistance. They could hear me hollo murder for about two miles, as the neighbors told me afterward. Finally, Mosely, the agent of the Singer sewing-machine, came up to me and choked me, and held a revolver close to my head. Before he choked me I said, "I am not afraid; if you will take me and spare my husband that is all I ask." And Mosely said to me, when I called his name several times, "Sh—! sh—!" I had a nursing baby then, and it was lying on the bed, screaming. After I was choked so I could not hollo any longer, my daughter came, and she left me and went over to her father; and they broke a shutter off the window and fired at Mr. Haffa; and my little boy told me yesterday—I have him at boarding-school, at least at a house out in Germantown—he said that he would take oath any time that it was Jimmy Whitehead who fired one of the shots at Mr. Haffa; and Sid. Whitehead, the owner of the land that we rented our land from, he had threatened Mr. Haffa's life several times, which the children know of.

They fired twice, and I went to him, and he asked me to take him to the bed; so my daughter and I assisted him to the bed; and—we had no light; it was utter darkness there—and says he to me, "Mamma, I want water." As soon as I could get a light I gave him water and laid him down, and ran out for assistance, and sent my little boy over to some colored people, and they came rushing over.

Finally Sid. Whitehead came along and refused to let me have a physician; he said it was no use, that he would die anyhow. Mr. Haffa spoke as strongly as I am speaking, and he asked for water, and that was all he asked for. He said, "Mamma, I am going to die," and he asked God to have mercy on his soul, and he laid his head on my shoulder and expired.

THE WIDOW FORCED TO DENY THAT SHE KNEW ONE OF THE ASSASSINS.

So after the colored people had laid him away I said to Mr. Sid. Whitehouse, "Moseley is the one that choked me; and he held a revolver at my head;" and Sid. Whitehouse said, "You know Mr. Moseley was not here." I said, "Yes, sir; he was; and he spoke out—that is Jimmy Whitehead—to say that I had to recall those words for the sake of my life." They made me recall it, and say it was not him.

PROFANE LANGUAGE—ABUSE OF NORTHERN PEOPLE—A COFFIN REFUSED.

They came there together and set up the first night—Whitehead and two or three other gentlemen, and they did nothing but use profane language all the time, and abuse the northern people. They said that they would show them that they were fully armed now and ready for war at any time, and that they could not rule over them and do as they please with them.

They would not allow me to have a coffin for him at all. Colonel Griffin, formerly United States Senator here—so he told me—he came and said, "Mrs. Haffa, I regret this very much." Says he, "I cannot get any coffin for you, for they won't allow any travel through."

Do you want to know anything about the other men that were assassinated the same day?

ASSASSINATION OF A FATHER AND SON.

Q. If you know any others you may specify them. You have not yet given the date of the night when this took place?—A. This was the 6th of September, 1875. Well, after Mr. Haffa was gone, the colored people, who were very friendly toward us, all the colored people, they were there, and they said, "Well, I would like to see any one come to my house and kill me in as brutal a manner as they did the Squire. We have lost our best friend." The names of the people who said this were Stevens; and his wife said, "I must go home." He says to her, "Yes, you better go home, for I will be the next one." Mr. Whitehead said, "Dolph,"—his name was Adoph—"you better be careful how you talk, or the men will be after you."

So about 11 o'clock these men came back to see if Mr. Haffa was gone, and they were looking like hungry wolves; the most fiendish-looking men I ever saw. They said, "Any colored people secreted about your premises here?" Says I, "No, sir." There was nobody in the house then but my children and Mr. Haffa. I said, "There is nobody here, but you are privileged to come in and examine the premises, and look up the chimney." Two of them alighted, and came in and looked around, and they said that was all that they wanted to know.

They went over to these colored people's houses, and took the Ste-

venses, father and son out, and stood them on a stump and shot them, and killed them instantly.

Q. Did you know these people who came to your house the last time?—A. No, sir; I could not know them.

Q. Were they disguised in any way?—A. No, sir; not the last time, they were not; the first time they were disguised. They did not give them any warning, any more than they did Mr. Haffa, when they came in the house and took them out.

They said they had a large day's work on hand, and that they had to commence early; and during that day they perpetrated a number of murders. They were after Senator Caldwell, but I don't know whether they got him at that time or not; I never found out.

THE WIDOW ORDERED TO LEAVE.

Mr. Whitehead then gave me ten days' notice to leave; and so the colored people harbored me. I could not get away from there, as no one came in and out of the depot, for they were afraid to go there.

Mr. Haffa was buried in a rude box, and just the colored people and my son went along. He was just wrapped up in a sheet; they would not allow it in any other way.

Mr. Whitehead said that I must leave, that we were looked upon as spies here. The colored people harbored me until I got a conveyance to take me to the depot. Finally there was a man, an intimate friend of Mr. Haffa's, came out with three pistols belted around him, and said he would take us in.

THE COLORED PEOPLE DISARMED.

They disarmed all the colored people through the country there, took their arms from them, and would not allow them to have any; and before I left for the depot they made the colored people break up their clubs, and every one of them joined the democratic clubs; they compelled them to do so or their life, one or the other. They were given ribbons, and I could see them marching along to the democratic clubs at Auburn and Utica; they went to and fro.

CAPTAIN MONTGOMERY GIVES HELP.

We went to the depot, and there they sent for Captain Montgomery. I had no money, and I was obliged to leave everything; I had not even a change of clothing; and Captain Montgomery raised me a purse of between thirty and forty dollars, and I went to Jackson. I had to make some purchases there for the children; and after I got there I was taken into Mr. Wolf's house, the superintendent of education, and his family received me very kindly. He was an intimate friend of Mr. Haffa's, and he said he would do all he could for me; but he could not have me there at the house at all, because his life would be in jeopardy; but said that he would call on the governor, and that he would send his officials around to take my affidavit, and he would secrete me at the hotel and pay my board while I was there. This is the document that he drew up, [exhibiting paper.]

And he went around among the republican members of the government, and he was chagrined at the republicans not doing more than they did. Governor Ames donated $5 and gave me a ticket half-way to Cincinnati; and after I arrived at Cincinnati with my three children I had to beg my way on to Philadelphia. I was only a few hours at Mr. Wolf's house, and then was taken to the hotel there.

Q. How many children have you?—A. I have two; I have lost my baby.

Q. What is your age?—A. Thirty-eight.

MISS HAFFA—HINDS COUNTY.

WASHINGTON, D. C., *July* 8, 1876.

Miss FLORENCE E. HAFFA sworn and examined.

AGE AND RESIDENCE.

By the CHAIRMAN:

Question. What is your age?—Answer. Seventeen.

Q. Where do you live?—A. In Philadelphia, Pa.

Q. Have you lived in the State of Mississippi?—A. Yes, sir.

Q. When did you leave there?—A. I could not state the day of the month, but it was last September.

DESCRIBES HER FATHER'S ASSASSINATION AND ASSASSINS.

Q. Your mother has stated that your father was killed on or about the 6th of September, and that you were present; you may state to the committee all the circumstances that you know.—A. It was between two and three o'clock in the morning I was aroused by the noise of screaming and knocking at the door, and I got up, and my mother and father were standing at the door trying to keep them from breaking in. There was so many there that they broke the door down. I stood there, my mother and I, for some time, and kept the door closed as long as we could, and papa he went away to get out of the sight of the white people. They ran around by the window and broke the shutter off, and shot through the window at him twice.

Q. Were you near him when he was shot?—A. Yes, sir; I was about two yards from him.

Q. Did you know any of the men?—A. One was William Moseley, agent of the Singer sewing-machine. I could not distinguish the other gentlemen at all.

Q. Was he one of the men that shot?—A. Yes, sir; he was one.—I would not say he was one of the men that shot, because I could not see, as it was dark, but he was there, because I could tell his voice.

Q. Did they give any reason for shooting your father?—A. No, sir; they did not.

Q. Did you know any of the men except Moseley?—A. No, sir; they were all strangers; their voices were strange. I just could see their shadow, but I could not see any of their faces.

Q. Were they disguised; did they have anything unusual on?—A. No, sir; they did not. I could not see whether they had or not.

Q. Do you know whether they had guns?—A. Yes, sir; I saw their guns.

Q. How many men were there?—A. I presume there were 75, if I am not mistaken.

Q. Did they come on horseback?—A. Yes, sir; they secured their horses down about half a mile from the house and walked up afoot.

Q. Where did Mr. Moseley live?—A. He lived about a mile from our house.

Q. What happened after your father was killed?—A. About 12 o'clock there was two or three of the gentlemen came back to see if he was dead.

Q. You mean 12 o'clock of that day?—A. Yes, sir.

Q. At noon?—A. Yes, sir; at noon.

Q. Who were they?—A. I don't know; they were very strange, indeed; I had never seen them before.

Q. Were they in disguise?—A. No, sir; they were not disguised; they came back with their guns; that was all they had.

Q. Did they come into the house?—A. Yes, sir; came into the house and looked all around, under the bed and everywhere. They said they came to see if there were any colored persons there.

Q. What was done about burying your father?—A. About sunset they procured a rude box and put him in, and about seven or eight of the gentlemen buried him.

Q. Who were they?—A. One was Colonel Griffin, and another was Moseley, and another Ross Whitehead, and another Frank Snow[?]. I don't know the other gentlemen's names.

Q. Did Moseley say anything about the killing of your father?—A. He said he did not do it. Mother accused him of it right away and he said he didn't do it, and then Sid. Whitehead, as soon as she said that, said she better keep her mouth shut or her life would be taken if she did not; and she had to apologize to Mr. Moseley that morning.

Q. Was your father a candidate for office at that time?—A. I don't know. Mr. Whitehead, sr., has threatened father's life two or three times.

Q. When were those threats made?—A. During the year, about the first part of the year.

Q. Did you hear any of them yourself?—A. Yes, sir; I heard one. Papa was on his plantation; he went over on an errand to one of the houses, and he said, "I told you never to come on my plantation;" and papa said, "I didn't know I was on your plantation." He said, "Yes, sir, you are, and I have forbidden you trespassing on my plantation, and I want you to get off of it as soon as possible." Papa said, "I am not on your plantation, and I don't intend to get off until I get ready," or something like that; I don't remember the words; and then he went to the house to get his gun; so papa he came on home.

OTHER PERSONS KILLED.

By Mr. CAMERON:

Q. Do you know any other persons being killed in that neighborhood soon after your father was killed?—A. Yes, sir.

Q. State who they were and the circumstances.—A. I know Jo. Stephens——

Q. Who was he?—A. Those were colored people; I didn't know of any white people being killed; Joe Stephens and Isaac Stephens—and that is all that I know was shot in that neighborhood. We heard the firing all day. They were galloping around through the woods in that neighborhood on their horses and with their guns.

A BIG DAY'S WORK BEFORE THEM.

Q. All day after your father was killed?—A. Yes, sir; they said they had a big day's work before them, and they thought they would commence with us first; they wanted to get through in time; they were firing all day.

Q. How far did those two colored persons, whom you have named, live from your house?—A. About one hundred yards, I think; I am not sure.

Q. What time were they killed?—A. About half past one, I guess, or two, at noon.

BURIAL OF HER FATHER.

By Mr. MCMILLAN:

Q. Did you say your father was put in a box?—A. Yes, sir; he was wrapped up in a sheet and put in a rough box.

Q. Not an ordinary coffin?—A. No, sir, nothing on it; just a rough box. It was just as much as we could do to get that. We could not get the colored people to do anything as the white people had threatened their lives if they came near us to help us or assist us in any way; so we done the best we could.

E. B. WELBORNE—HINDS COUNTY.

WASHINGTON, D. C., *July* 8, 1876.

PERSONAL STATEMENT.

E. B. WELBORNE (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. I am residing in Washington now.

Q. Have you ever resided in the State of Mississippi?—A. Yes, sir; I was bred and born there.

Q. When did you leave Mississippi?—A. I left there on the first day of January last.

THE CLINTON RIOT.

Q. Were you present at the Clinton riot?—A. Yes, sir.

Q. When and where was that riot?—A. The riot was on Moss Hill.

Q. What month and what day of the month?—A. I think it was in October; I don't remember the month exactly, but in October, I believe.

Q. Now you may go on and state what you saw at that riot.—A. You mean in reference to the beginning of the riot?

Q. Yes, sir; I will ask you, first, where did you reside when you were in Mississippi?—A. I resided in Hinds County, one mile south of Clinton, where the riot was; that was my home.

REPUBLICAN AND DEMOCRATIC SPEAKERS.

Q. What meeting was being held at Clinton on the day of the riot?—A. A republican meeting was being held. The meeting was given by the republicans; they had a barbecue and celebration, and there were speakers invited. It was a kind of joint discussion; and Amos R. Johnston spoke first. After he got through, Capt. H. T. Fisher, who was a republican, was called upon to speak.

A RAYMOND COMMITTEE PRESENT TO STOP REPUBLICAN SPEAKERS.

Q. Johnston was a democrat?—A. A democrat. When Captain Fisher came upon the stand I was standing about twenty feet from him, in front of him. There were a couple of young fellows standing in front of me—Sivley and Thompson, of Raymond. These gentlemen, we understood, were a committee sent from Raymond; in the event that the republican speakers told anything there that they thought was not so, they had a right to contradict them and make them stop.

THEY BEGIN THEIR WORK.

Q. That is, they were directed by their friends to do that?—A. Yes, sir; that was the understanding. So when Captain Fisher got upon the stand and commenced to speak—he had spoke two or three minutes, probably—when this Sivley says, "Come down out of there, you God damned radical, you. We don't want to hear any more of your lies."

I spoke to a young fellow by the name of Aleck Wilson, who was one of our officers there to keep the peace; we had about twenty or thirty men there that we got the magistrate to deputize and send them there. I saw Wilson, and said, "Here, I want you to stand here and prevent anything. I see a difficulty brewing here." I went and saw Senator Caldwell, and called his attention to these fellows. Thompson had a bottle of whisky in his hand. He was drinking, and every now and then they would holler, "Come down! Stop your damned lying there, and come down."

THEY DEFY THE OFFICERS AND SHOOT ONE, AND FIRE A VOLLEY AT THE CROWD.

So Wilson went up to Mr. Thompson and said, "Mr. Thompson, we listened very quietly here to your speaker, and you must not go on in that way." Thompson asked him who he was. He told him he was an officer, and that he would have to arrest him if he did not stop. When Wilson said that they all got right together around Thompson.

Q. Who?—A. All this Raymond crowd.

Q. How many were there of them?—A. About twenty or thirty there from Raymond, that I know. There was about 250 all together there.

As I said, just as soon as this fellow Thompson began to talk with Wilson, they all formed a line, and just as soon as this line was formed, Mr. Thompson told Mr. Wilson that he was going to do just what he pleased. He said, "Get away from here." And then Wilson attempted to arrest him, and instantly Thompson pulled his pistol out and shot him down, and when Wilson fell, every man in the line pulled out their pistols and began to fire on the crowd. The crowd ran over me, knocked me down, and every time I attempted to get up they would knock me down again.

RUNNING, SCREAMING, AND HOLLERING—THE WITNESS IS FIRED ON AND RETURNS THE FIRE.

They were running in every direction—women screaming and hollering, and they firing just as rapidly as they could. They thought I was dead for a while, but when I did get up they had slacked up a little, and several saw me going up the hill, and they hollered, "There he goes," and they got me kind of singled out and opened fire on me, and I jerked out my pistol and fired six shots. There was so many, they forced me so hard that I had to take to the woods. So I retreated to the woods, and after the men had all gone, scattered to the woods, and these fellows had all went back to Clinton, I came on the field again. I heard my brother was killed there, and I went back looking for him, and while I was back there looking I saw several dead men lying around there.

THE KILLED AND THE WOUNDED.

Q. How many?—A. There was Sivley, Thompson, Aleck Wilson, and another. Nathan Lee was wounded very bad, but he was not dead; he was laying there; and C. N. Chilton. Chilton was up to his house, though. They had gotten him up to his house.

Q. How many of those were colored men?—A. One.

Q. Who was that?—A. Aleck Wilson. There was another colored man killed there by the name of Lewis Hargrove. I didn't get to see him, but I know he was killed.

WITNESS'S HOUSE PLUNDERED AND SURROUNDED ALL NIGHT.

I attempted to go to my house, but before I could get to my house they surrounded it. They sent some men there to my house and surrounded and searched it, and took everything out of it in the shape of ammunition and fire-arms. They taken all them out and kept my house surrounded all that night.

I came within about a half mile of my house and got an old lady; told her to go up there—my wife was very sick—and tell her I was not killed. This old lady went up there and told her. She told the white men that she wanted some medicine for her sick child, and would like of them to let her through, and the pickets let her by, and she went and told my wife that I was not dead, and that I was on my way to Jackson.

LAY IN WOODS ALL NIGHT.—SHOOTING IN THE MORNING.

She sent back to me not to come there, but to keep away by all means, and I concealed myself in the woods that night. I lay there until day, and by daylight the firing commenced again, just the same as during the war; you could not tell the difference.

SEEKS SHELTER IN UNITED STATES CAMP.

I thought the best thing I could do was to go to the United States camps; so I lit out, and I got to the camps about 10 o'clock in the day.

Q. The camp at Jackson?—A. Yes, sir. I went there and I sent for the governor of the State—told him that I would like to see him; so he sent down, and Major Allen, who had charge there, took me up to the governor. I went up and stated to the governor the facts in regard to the riot; I told him how it was, and told him that I knew it was impossible for me to go home, and that I came to him for protection.

SHOOTING NEGROES ALL SUNDAY.

On Sunday—that was on Saturday—they continued; they just hunted the whole county clean out, just every man they could see they were shooting at him just the same as birds.

Q. What class of men did they shoot at?—A. I mean colored men, of course. They would go right to their houses and run them out, if they were in there, and kill them if they could. A good many they killed, and a good many got away.

COLORED REFUGEES IN JACKSON—FIRING ALL THE TIME.

The men came into Jackson, two or three thousand of them, where they had made their escape. They were running in all day long; all day Sunday coming into Jackson as rapidly as they could from every section. We could hear the firing all the time.

After the riot was over, I staid in the camp about fourteen or fifteen days; and I sent for a man who lived in my town, a very bitter democrat, but he was an intimate friend of mine, and I asked him if he thought I could get back home. He told me no. He said, "My advice is to you to stay away from there. You will be killed if you go back." I asked him why; what had I done; what did they seem to have against me there? Well, he said they had an idea that I had done some fighting up on the hill, and they said that any man who had been in the fight up on that hill, he could never live there any more.

SILVEY AND THE WITNESS.

This young fellow Sivley and I had a personal difficulty about two years before this riot. Some of his friends stated that I was the man that killed him, and that got out; they would circulate anything. The first rumor that got out was that I had went up to Mr. Sivley and killed him and cut his finger off and took a diamond ring off that he had; and that went right out under the excitement, and every man just said, "Kill him wherever you can find him."

OFFERS TO QUIT POLITICS IF HE CAN GO BACK HOME.

And this fellow, Amos R. Johnston, I went to see him, and said I, "Judge, I want to go home." He says, "Yes; I would like damned well to see you go, but you have followed these radicals around here so long that the white people are down on you." "Well," says I, "if I have got to sacrifice everything I have got and leave here, I had rather quit politics, and if you will let me go home I will never have anything more to do with it at all; I will go there and be quiet." He said that he did not know that he could give me protection at all. He thought

that the best thing I could do would be to leave the country. That was his advice.

I went back and consulted my friends. They said that they thought it would be best for me to leave. But eventually, before the election, they said that they would not bother me, and I went back home and gathered my crop.

ORDERED BY A COMMITTEE TO LEAVE CLINTON OR HE WOULD BE MURDERED.

After I had gathered my crop, to settle up my account I went into Clinton; that was where I had done my business. I lived about a mile from town. My father used to do a large business there; so I went in there, and while I was there I settled up my account. There was a young man by the name of D. W. Rice, he came to me, (he and I never had spoke in his life,) and said to me, "I want to see you." He had his pistol in his side-pocket, and I could see the hammer of it sticking out. He came into the store and said, "I want to see you." I looked at him, and said I, "What do you want?" Said he, "I want to see you." Said I, "I am here." Said he, "Come out doors." I said, "I ain't going to do any such thing;" and I went to see Mr. Chilton, the man who owned this store, and said I, "I am going to be attacked here, and I would feel safer being attacked here in your house than anywhere else."

He said, "I will go and see these fellows and see if I cannot get them to let you alone." He went out and talked to them, and they agreed to let me off.

When I got through with my business I went out to get on my horse. Mr. Rice walked to me with seven or eight more men, and said, "I am sent to you by the citizens of this place; I am chairman of this committee." Said I, "Sir, state your business." Said he, "You are very obnoxious to the citizens of this place, and I am authorized to tell you that you better never be caught here any more." I asked him what I had done. He said, "It don't make any difference; don't ask me any questions about it. If you are caught here in this town any more, we will kill you; that is all." I said, "Gentlemen, I never come here unless I have got business. I thought this was a free town. If it is a private town, I didn't know it." Said he, "That is the reason, God damn you, that we ain't agoing to do with you what we intended to do, seeing that you are here on business with Mr. Chilton; but if you are caught in this town any more, we will kill you." I knew they would do it; so I went back home and I never went into town any more; I staid away from there.

THE ASSASSINS OF CALDWELL SURROUND HIS HOUSE.

The night they killed Senator Caldwell—when they murdered him—his wife sent me word that they were coming on to my house, and to look out for them; so I sent around to see my neighbors. Three or four men were there, and I told them that this crowd had killed Caldwell, and were coming on to my house, and asked the men if they would come there and stay with me, and they said they would. I thought I would stay in my house, and if they came there I was going to make the best of it that I could, and if I could not get out, it was all right.

So I got twelve men there, and we were all very well armed, and I took them inside the house and we shut the door. We staid there until about an hour before day, when they came. They surrounded my place and they hollered to me to come out. I told them that I would not do it. They said, "If you don't come out we will open fire on the house." I told them to wait a few minutes until I could get my wife and children

out. I told her to go up-stairs, so she went up-stairs in the house, and I was down-stairs.

THEY OPEN FIRE AT WITNESS AND HE RETURNS IT.

Well, we had a consultation. My brother was in there, and he said, "The best thing we can do is to go out—go right out, and make the fight out there. We might as well go right out. I would not stay here, because it might cause your wife and children to be killed." So we just walked out the door, and when we jumped out the door they fired on us. I knew exactly how my place lay, and we broke right for my stable. There was a little hole right behind the stable where the fence was broke loose, and I knocked off some pickets, and we made a charge on them and fired as they went back, and we broke their line.

BREAKS THROUGH THEIR LINE.

I had an idea how they had formed their line. I knew they thought we would run out toward Jackson, and they would put their strongest forces there; but when we came out we went right toward Clinton, and they didn't have but a very few men on that side of the house; and we just broke right through there, firing as we went. They came back, though, soon and surrounded the house again; they didn't think all of us had got out, probably.

LAY IN THE SWAMPS—HOUSE PLUNDERED—ORDERED TO LEAVE.

We made our way to the swamps and lay there; and about an hour by the sun next morning I came back, and my wife said that they had staid there all night, and had been in and searched the house and taken out everything that they wanted to take; and had told her to tell me that they would give me twenty-four hours to leave the State.

So I lay in the woods a couple of nights, and then came to Jackson, ten miles from there, and at 3 o'clock in the night I took the train, and I came to Washington, and I have been here ever since.

I was at Clinton on the day of the election.

CLINTON ON ELECTION DAY—FIRING—SQUADS OF ARMED HORSEMEN.

Q. What occurred there on the day of the election, if anything?—A. There was no fighting on the day of the election. We could hear in the morning, the cannons commencing to shoot in every direction all over the country; just a firing—seemed as it was when Grant made his march through there, and every body was, of course, excited. You could see men with their sixteen-shooters buckled on them charging all through the country in different directions. They went in squads loping, and their horses looked like they would give out.

One crowd would come in from Raymond and say, "One hundred and fifty niggers killed in Raymond; one white man slightly wounded;" and the guns were firing continually: and word came from Jackson, "The white men have whipped the niggers and run them out; Jackson has gone democratic by 4,000 majority."

WHAT SENATOR CALDWELL SAID AT THE ELECTION.

We did not know what in the world to do. They said, "God damn them, let them say a word and Clinton will go democratic, and we will kill every one of these radicals." They said that we better get away from here. Senator Caldwell was there, and I said, "Senator, I think we might just as well give up; I don't see any use of trying to stay here any longer; we can't do anything here. Here these men are riding all about the country with their sixteen-shooters and cutting up in this manner." He says, "No; we are going to stay right here; you must just come right along, and keep your mouth shut. I don't care

what they say to you, don't you say a word." We voted as rapidly as we could.

"YOU ARE GOING TO BE KILLED TO-DAY."

There was a gentleman by the name of Benjamin Todd. He was raised there in town; he came down and called me out; he said, "Well, Welborne, do you know you are going to be killed to-day?" Said I, "No." He said, "You are." Said he, "I am a friend to you, and my advice is to you that you better get away from here." Said I, "Well, I think I will have to stick it out; we are going on here peaceable and voting, but, of course, if we are shot down voting we cannot help it." He says, "Well, I don't want to see you killed, and I think you better get away."

The thing had begun to look so squally in the evening that I thought that it wouldn't be very healthy to stay, and I had better go, and our crowd commenced to thin out. The men that voted, they would leave right off just as fast as they voted.

FRAUDS AND INTIMIDATION—INSPECTORS CHANGED BY THREATS.

Our votes were pretty strong all day and we would have polled our usual vote in Clinton, even with all the intimidation there, if they would have let us. When the officers of the election who are appointed by the board of registration—now if you were appointed, say, as an inspector of the Clinton box, if you were sick and could not act, you had a right to place some one in your place. We had Henry Stoval and George Washington and another fellow by the name of Lemuel Adams. They had been appointed by the board. In the morning they went to Stoval and told him that it would not be very healthy for him to serve that day.

Q. Who went to him?—A. T. G. Rice and B. W. Henry; well, there was a committee, you know.

Q. Who were they; white men?—A. White men. They told him that it would not be very healthy for him to serve. So this man claimed sick; said he was sick; and he asked them who they were going to put in his place. Mr. Rice said, "Here is a man to take your place. Mr. Todd will take your place." And then they elected Mr. Todd clerk of the boxes.

Q. Who is he?—A. A young fellow in town; one of the most rampant democrats that ever lived; he and another young fellow by the name of Neal, "Modocs" they called themselves. They would kill a man and think they had done a Christian duty.

Q. The persons who were appointed inspectors, were they republicans or democrats?—A. They were republicans.

Q. The original ones?—A. Yes, sir; they were republicans and democrats. But our republicans, that were appointed by the board of registration, were told that it would not be healthy for them to serve, and they got out of the way then, and they made the whole thing democratic. They had one colored man on there who could not read or write at all; could not tell the democratic ticket from a republican ticket. They allowed him to stay on, and he staid there.

REPUBLICANS NOT ALLOWED TO VOTE.

So when a republican would come in to vote, having his ticket in his hand, he said, "I want to vote." They said, "Well, give us your registration;" and he handed his registration to this fellow, and he looked on the book and said, "I cannot find your name here; just stand aside." They turned off 80 republicans right along, one after the other, that way.

Q. Who had their registration-papers with them?—A. Who had their registration-papers in their hands. I saw Senator Caldwell stand-

ing at the door. Said I, "What are you going to do about these registration-papers, they are *prima-facie* evidence of their right to vote, and I don't see any use in having them if they cannot vote." "I think now," says he, "we will go in and see these fellows;" and we went in and spoke to Mr. Rice, one of the officers; he was a volunteer officer; he went in there himself; he had no right in there; he was just standing in there. Each democratic club had a committee appointed to watch—take care of these boxes; and so when Mr. Caldwell spoke to him and said, "I know that this man's name was on that book;" they said it didn't make any difference what he knew; that they knew that his name was not on there, and he was not going to vote. And they just turned them off one after another, just as many as they wanted to turn off, and those they wanted to let vote they let them vote.

COLORED DEMOCRATS ALLOWED TO VOTE ON SAME CERTIFICATES THAT WERE REJECTED FROM REPUBLICANS.

There were men who registered two or three days before the election, and there were colored men there who, some of them, voted the democratic ticket, who registered at the same time those republican voters registered, and had the same certificates, and went forward and voted with them in their hand, while the republicans with the same certificates were prevented from voting, and told to stand aside, and did stand aside.

EIGHTY REPUBLICANS PREVENTED FROM VOTING AT ONE BOX.

Q. How many were prevented from voting in that way at your boxes?—A. We counted eighty right at our box that were prevented just in that way from voting. That was only one box. At our town we had two boxes.

UNDER FIRE AT CLINTON.

Q. Did you state that at the Clinton riot you did not fire until after you had got up after having been trampled upon?—A. No, sir; I did not. I did not fire; I did not want to fire then.

Q. How many shots were probably fired at you?—A. There were over one hundred and fifty, I reckon. I got behind a little tree there and they just skinned it, knocked it all to pieces nearly.

ALL REPUBLICANS OF INFLUENCE DRIVEN OUT OF THE COUNTY.

Q. What reason did they give for attempting to drive you out of the county; what objection did they have to you?—A. Their objection was that I was a leading republican there and had some influence. They drove out all republicans of any influence. All republicans that had any influence there they had to go. They did make them go, and men came out and stated that they would not have anything to do with politics if they would let them stay there; but they did not seem to believe that I would let politics alone.

I told them that if they would let me stay I would quit politics, and I would come back and live there in preference to living anywhere else; that I would rather stay there; that I had got a good home there; a nice place, and would be satisfied, and rather stay there than anywhere else.

A NATIVE AND LAND-OWNER, BUT NOT ALLOWED TO LIVE THERE.

Q. What property did you own there?—A. I owned a place of about 260 acres on the line of Vicksburgh and Meridian Railroad, about one mile east of Clinton.

Q. How long had you lived there at that place?—A. I had lived there all my life.

By the CHAIRMAN:

Q. Have you any stock on your place?—A. I have not got any there now; they stole it all.

Q. Did you ever have any?—A. Yes, sir.

HIS STOCK STOLEN AND WAGONS BURNED.

By Mr. CAMERON:

Q. What stock did you have?—A. I had four mules of my own and three horses. I had about twenty head of cattle. Out of the twenty head, I think I have got about four left.

Q. What became of the mules and horses?—A. They taken them on the day of the riot. I got two of them back after the riot; the others I have never seen them. I had a very nice buggy that I drove to this meeting in; they took that and stacked it up and set it on fire. They burned up all the wagons there, and they stacked my buggy and burned it too.

Q. When they surrounded your house, at the time you left, when you said they took whatever they wanted, what did they take?—A. All my ammunition—powder, shots, caps, and guns; they taken two guns and a couple of pistols; and many places there they robbed people and took their money. I did not, fortunately, have any, or they would have taken it, I reckon, if I had had it.

THE MEN WHO SURROUNDED HIS HOUSE.

Q. Did you know any of the persons who surrounded your house at that time?—A. O, yes, sir; they were men that were raised there with me—young men that I had known all my life.

Q. You may give their names—A. B. L. Todd, John Todd, William Todd, Capt. W. A. Montgomery, Capt. B. W. Henry, Lawrence Lemon, and John Cridle. Those were men that were raised right in my town. I knew men from other places that were there.

Q. How many men in all were there?—A. At my house?

Q. Yes, sir.—A. Do you have reference to the evening of the riot at Clinton or the——

Q. You may state both.—A. On the evening of the riot, I think, there were between seventy-five and one hundred that rode out there and surrounded the house. I was lying in the swamp, where I could see them as they came through the old field.

Q. On the night that they drove you out finally, how many were there?—A. On the night that they drove me out, my wife said there was sixty. She said she counted sixty herself.

THE WITNESS A SLAVE BEFORE THE WAR.

Q. What is your age?—A. I am about twenty-seven.

Q. Were you engaged in the recent civil war?—A. No, sir; I was not.

Q. You were too young then?—A. Yes, sir; I was a slave then.

Q. The proportion of negro blood in you is very small?—A. Yes, sir; I have got about one eighth, I reckon. It don't make any difference; just so you call it "nigger," that is enough.

Q. Have you held any office in Hind's County?—A. Yes, sir.

Q. You may state what office you have held.—A. I was constable there four years, and was member of the legislature two years, and was renominated, and was on the ticket this last election.

CROSS-EXAMINATION.

WASHINGTON, D. C., *July* 10, 1876.

Testimony of E. B. WELBORNE continued.

By Mr. BAYARD:

Question. I observe by your testimony that you were present at the Clinton riot in September, 1875.—Answer. Yes, sir.

Q. I see you state that there were a number of persons present from Raymond?—A. Yes, sir.

ABOUT THE RAYMOND CITIZENS AT CLINTON.

Q. Who were these persons from Raymond that you knew who were there at that meeting?—A. There were a good many there that I knew that I probably could not think of their names now. I can tell you all that I can think of. There is Mr. Tompson.

Q. Frank Tompson?—A. Yes, sir; Martin Sivley, Andrew Sivley, Baker Sivley, George W. Harper, and a good many others that probably I knew whom I can't think of now.

Q. I want to know the names of these specially who were there from Raymond, whom you knew.—A. I have given you the names of all that I remember.

Q. See if you cannot tell any more.—A. I don't think of any more.

Q. Did you or these people from Raymond reach the ground first?—A. I reached the ground before they did.

Q. You were there and saw them come up; how did they come up?—A. Everybody was coming on together; there were two or three thousand people coming to the meeting.

Q. I know that; but how did these Raymond people come to the meeting?—A. I was at the stand, and I don't exactly know how they came. I suppose they came on horseback, and some of them came in buggies.

Q. Were there others came than these you have mentioned?—A. Yes, sir; I know there were more.

Q. Are you able to state who else came than these you have mentioned?—A. I don't remember their names now. There were a good many from Raymond; all through that section of the country. There were men there whom I did not know.

Q. How do you know they were from Raymond?—A. There were men from Raymond that I did not know were from Raymond until after the riot was over.

Q. How did you discover it then?—A. There was a fellow there from Raymond that was beat nearly to death there. I was trying to think of his name. I did not know him before that. I don't know everybody that lives at Raymond.

Q. In answer to a question asked you as to how many there were from Raymond you answered, "Twenty or thirty from Raymond that I know."—A. Not from Raymond; there were not thirty from Raymond that I knew.

Q. How many were there that you knew; any more than you have stated?—A. Yes, sir; there were more than I have stated, but I cannot think of all their names now.

NUMBER OF WHITES AT CLINTON MEETING.

Q. How many white people were there, all told, at that meeting?—A. There were about, I judge, three or four hundred.

Q. How many of those were republicans who came there to attend

your meeting?—A. There may have been forty. I don't reckon there was that many. There ain't more than forty or fifty in the county.

Q. Where were these other men from?—A. From different sections of the county. Men were there from all parts of the county, nearly.

NUMBER OF COLORED PEOPLE.

Q. How many colored people were there?—A. There were about 2,500 to 3,000, I reckon.

Q. How far were you from the commencement of the affray?—A. I was about ten steps from it. No, not that far; I was about as far from the first pistol fired as from here to that glass back of this room, [about eight or ten feet.]

WHO FIRED THE FIRST SHOT—"FALL IN, YOU RAYMOND CROWD!"

Q. Who was the person who first shot?—A. Mr. Tompson, of Raymond.

Q. What was his first name?—A. I don't remember his initials.

Q. Who returned the fire?—A. The fire was returned from the other side; I don't know—when Tompson fired he shot and killed a man by the name of Aleck Wilson, who was an officer of the day there. Just as soon as he fired his pistol there was some of the men hollered, "Fall in, you Raymond crowd!" and when that order was given—"Fall in, you Raymond crowd!"—all the young fellows from our town—well, they just formed a line just as quick as they could, and the firing commenced; and after they formed a line you could hear the pistols go "pop!" "pop!" and they fired as fast as they could.

NO COLORED MAN FIRED FOR FIFTEEN MINUTES.

There was no colored man fired a pistol there until fifteen minutes, nearly, because they had not time to do it. The thing opened just like lightning, and the shot rained in there just like rain from heaven.

ABOUT THE KILLED AND WOUNDED THERE.

Q. How many men did you see who were then shot?—A. At that fight?

Q. Yes sir.—A. I saw Sivley, Tompson, Aleck Wilson—I saw three—four; I saw one wounded, and one colored man dead, Aleck Wilson.

Q. How many of these were colored men?—All white men except Wilson.

Q. Did you see Mr. Chilton after he was shot?—A. No, sir.

Q. Do you know where he was shot?—A. He was shot in his yard. I did not see him after he was shot. He shot at me once, Chilton did, just before he was shot.

Q. How long before he was shot did he shoot at you?—A. It might have been ten or fifteen minutes.

Q. How far was it from his house that he shot at you?—A. When he shot at me he was right in his yard.

Q. How far was that from the scene of the original fight?—A. It was about 150 yards—200 yards, probably; it was very close to his house.

Q. The fight originated close to his house?—A. Yes, sir; close to his house; right in the bottom from his house.

Q. Where was he standing when he was shot?—A. I don't know. I heard he was standing on his gallery.

Q. Was he shot in his own house?—A. No, sir.

Q. Was he shot in the door of his own house?—A. He was shot as he was going up his gallery steps. He had one of those sixteen-shooters. I aimed to go out by his house, to get out to the woods the nearest way, and when I came to within about one hundred yards of him he shot at me, and shot a mule near me.

Q. Who shot Chilton?—A. I don't know.

Q. Did you shoot at him?—A. No, sir; I did not. I had not anything to shoot at him with then.

Q. What had you done with your pistol?—A. It was empty then.

Q. How many loads had you discharged from it?—A. Six.

Q. At whom had you discharged them?—A. I discharged them at the crowd that were shooting at me. I don't know who they were.

Q. Where was Sivley killed?—A. Sivley was killed about 300 yards from where the fight originated, in a field close to that.

Q. How did he get so far off; had he retreated?—A. Yes, sir.

Q. Who had followed him?—A. I could not tell; men were running in every direction, shooting just as fast as they could.

Q. Had he retreated from the scene where this difficulty commenced 300 yards at the time he was killed?—A. Yes, sir; I think he had.

Q. Where was Tompson killed?—A. Tompson was killed about 300 yards from there, too.

Q. Had he retreated that distance when he was killed?—A. Yes, sir.

Q. Who was Nathan Lee?—A. He was shot on the ground there, right close to the fight.

Q. Did you see him?—A. Yes, sir.

Q. Do you know who killed him?—A. He was not killed; he was wounded.

Q. What other colored man did you see that was killed there except Aleck Wilson?—A. I don't think I saw any other one there; Lewis Hargrave was killed there.

Q. Did you see him?—A. No, sir; I did not see him.

Q. Any one else?—A. No, sir.

Q. Who else, to your knowledge, was killed at that riot?—A. In that fight?

Q. Yes, sir; in that fight.—A. Those were all of the men that were killed.

NUMBER KILLED ON THAT DAY AND THE NEXT DAY.

Q. Now, following up that night and the next day, who else were known to have been killed?—A. I know about twenty-five or thirty, I reckon; I don't know that I can tell all of their names now. There was Albert Hudson ——

By the CHAIRMAN:

Q. State whether they were black men or white men as you go along.—A. Black men. There were not any white men killed that were republicans but one.

FOUR BLACKS CALLED OUT OF THEIR HOUSES AND KILLED.

By Mr. BAYARD:

Q. What men are you now speaking of?—A. I am now talking about those called out of their houses and killed after the riot was over—Albert Hudson, Simon Jackson, Robert Robinson—I think that was his name; I knew the old fellow well, and he was killed right in town Galilee Brown. These men were all killed on the Sunday morning following the riot that I am speaking of now, and they are all I can name that I know in that county.

MR. HAFFA AND THE STEVENSES KILLED.

Q. I mean all the men who were killed on that Sunday after the riot and during the excitement.—A. There was William P. Haffa, a white man; and there was another old fellow killed right close to him, that I knew well, by the name of Stevens; I cannot think of his other name.

Q. How far did this Stevens live from you?—A. He lived about wenty-two or twenty-three miles.

Q. How did you acquire knowledge of the fact that he had been killed?—A. I saw his son or wife; I saw Mrs. Haffa. They was killed right in the same neighborhood.

Q. That was twenty-two miles away?—A. Yes, sir.

Q. Are you able to give any more names of persons who were killed?—A. All these men that I speak of were killed in my immediate neighborhood except Haffa and this old man Stevens.

TWO OR THREE MORE KILLED RIGHT IN MY TOWN.

Q. Are those the names of all those you know to have been killed?—A. I know two or three more men were killed right in my town; I cannot think of their names now. They were people in my neighborhood.

Q. I want to know whether you can now state who these men were or not. This thing must have been impressed upon your mind.—A. I cannot testify to all of them that were killed; it is impossible for me to think of every man that was killed.

Q. This was last fall, and this was in the neighborhood where you lived, was it not?—A. Yes, sir; where I was bred and born.

TWO MEN KILLED NEAR ALBERT HUDSON'S HOUSE.

Q. I ask you now to give the names of any other parties you know to have been killed either at the riot on the 4th of September or on the day subsequent?—A. I believe that is about all the names I can think of now. There was two men killed near Albert Hudson's house.

WHAT HIS DIFFICULTY WITH SIVLEY WAS.

Q. I observe in your testimony that you stated that you had a difficulty with this young white man, Sivley; when was that?—A. About two years ago; about two years before the riot.

Q. Had you any difficulty with him on the day of the riot?—A. No, sir.

Q. What was your difficulty with him?—A. I was constable in Clinton, and I was acting at that time as city marshal. He violated one of the city ordinances, and I was ordered to go and arrest him——

Q. In which city was this?—A. Clinton, a little town; it is an incorporated town—by hitching his horse on the pavement, and the mayor ordered me to go and arrest——

Q. Who was the mayor?—A. Dr. J. R. Horn. He ordered me to go and arrest the horse; take the horse and put him in the livery-stable. When I took hold of the reins of the horse Mr. Sivley ran out of the saloon; he had a pistol on him, and he told me to let the reins go, and he told me if I did not let them go he would shoot me; but I held on to them, and this was Martin Sivley——

Q. Were you armed?—A. Yes, sir.

Q. Did you draw your weapon too?—A. I did when I got a chance to do it. Mr. Sivley and I kept talking, and just at this time Andrew Sivley came up and John Cridle and a young man named Beacham; they were all relations, and they crowded around me with their pistols in their hands. At this time the mayor was standing at the lower end of the town, and he saw me and sent four or five more men up there to my relief right away. I was talking with them, and they had their pistols running around; and I jumped right back behind the horse and jerked mine out; and when I got mine out, I stepped right back and said that I would not give the horse up. Just at this time the four or five men that were ordered to my assistance came up and I got them surrounded,

and we made them put their pistols up, and after that we put them all in the calaboose. After that Sivley threatened if ever he got a chance at me he intended to kill me.

SIVLEY THREATENED TO KILL WITNESS IF HE EVER GOT A CHANCE.

Q. Who did you put in the calaboose?—A. Sivley and all the crowd. They were brought up before the mayor and fined, I think, $25 and costs, and then he gave them $5 apiece for their horse, and Sivley said that if he got a chance he intended to kill me. He told me so himself; and, of course, after that whenever I met him I always watched him.

Q. Had he met you from that time?—A. About six months before this riot Sivley and I met in Raymond; Sivley was employed by the republican sheriff there as a deputy, and I went into the office; had some business there, and he spoke to me and I spoke to him.

Q. Did you exchange any words on this day at the meeting at Clinton?—A. Just spoke; that was all.

Q. Did he say anything then to you about the trouble?—A. No, sir.

THE WHISKY BOTTLE AT THE CLINTON MEETING.

Q. Who had that whisky that you spoke of there?—A. Tompson. Tompson and Sivley and these were all together.

Q. What did they have it in?—A. In a bottle.

Q. How do you know it was whisky?—A. It was in a bottle.

Q. Had they different bottles?—A. I did not see but one bottle.

Q. Who had that?—A. Mr. Tompson had it; he was passing it around then.

Q. They were drinking it?—A. They were taking drinks. There was Sivley and Tompson and two young men in my town—Willie and John Neal.

Q. Did you see them all drinking?—A. I don't remember whether they were all of them drinking; I saw Sivley take a drink.

Q. More than once?—A. I don't remember seeing him take a drink more than once. This was the time that the officer interfered.

Q. At the time this remark was made to the speaker?—A. This remark was made to the speaker, and then those fellows were drinking at the same time that this remark was made.

DID NOT KILL SIVLEY, NOR CUT HIS FINGERS OFF, NOR STEAL HIS DIAMOND RING.

Q. I observe that you state that there was a rumor that you had killed Sivley and cut his finger off and taken a diamond ring?—A. Yes, sir; that was all over the country—in the Vicksburgh Herald.

Q. As a matter of fact, was his finger cut off?—A. No, sir.

Q. Do you know it?—A. I never seen it, of course, but there was reliable men came to me and told me that they heard that I had done this that day, and they went to see for themselves if his finger was cut off.

SIVLEY NEVER HAD ANY DIAMOND RING.

Q. Were these black or white men who came to you?—A. White men, and democrats of the bitterest kind. One of them said, "I heard it and I did not believe it, and I went to see if his finger was cut off." So far as him having a diamond ring was concerned, I don't suppose he ever had any; he was a poor boy and was taking care of himself, and never had any diamonds.

"THIS FELLOW JOHNSTON."

Q. "And this fellow Johnston, I went to see him, and, said I, 'Judge, I want to go home.'" What Johnston was that to whom you referred?—A. That was after the riot, when I was in Jackson.

Q. "He said, 'I would like damn well to see you go;'" what Johnston is that?—A. Amos R. Johnston; he is State senator, and he was elected in my district, composed of Hinds and Rankin Counties.

Q. Was he the Judge Johnston who spoke that day at the election?—A. Yes, sir.

Q. What kind of a character is Judge Johnston?—A. A man of good character, a fine lawyer, and highly respected; and that was my reason for going to him. I thought he had more control over these people than almost any man in the country.

Q. Is he a man that is respected by the people, without regard to their political opinions, in the country?—A. Yes, sir; he is pretty well respected by everybody.

Q. Is he the father of Mr. Frank Johnston?—A. Yes, sir; that is him.

"FRANK JOHNSTON HAS NO USE FOR YOU IF YOU ARE A REPUBLICAN."

Q. Is Frank Johnston held by you as a man of high personal character?—A. Yes, sir; he is a man of high character, but very bitter in his politics. Mr. Johnston, personally, will do very well, but when it comes to politics, he has got no use for you if you are a republican. He has no time for republicans at all, and he wants them to stay away from him.

JUDGE JOHNSTON'S ADVICE.

Q. The reason I ask you was that I had heard Judge Johnston spoken highly of by other witnesses, and I wanted to know why you used the phrase, "and this fellow Johnston."—A. I did not mean "this fellow Johnston," of course; I always treated him with respect.

Q. Where were you when Caldwell was killed?—A. I was about a mile from where he was killed; at home.

Q. When was he killed?—A. He was killed in the Christmas holidays, I think.

Q. After the election?—A. Yes, sir—the old judge told me that he advised me to leave the State.

Q. Did he not advise you to leave the State under the belief—the charge there current against you—that you had killed Sivley; was not that the cause of the excitement against you at that time—the belief that you were the man who had killed Sivley?—A. No, sir; they charged me with killing every man. At first they charged me with killing Sivley, and then they charged me with killing every man that was killed on the ground; and when they came to prove it they could not prove that I killed anybody.

"WOULD RATHER LET POLITICS ALONE—CROP GOING TO DESTRUCTION."

Q. I understand that that conversation with Judge Johnston was at the time of the riot?—A. O, no, sir; that was a week or two, probably, after the riot. I had to stay in the United States camps. These fellows hunted around my house and in the woods, so I could not remain in the woods, and I had to stay in the camps; and after I staid there a while I got sick, and I wanted to go home, and some of my friends advised me to go and see Judge Johnston; and I went and saw the judge, and asked him—says I, "Judge, if you will go to Clinton and make a speech there, and tell these fellows that they have got to let me alone, I had rather never again have anything to do with politics, if that is all they have against me there. I had rather let politics alone. My property is there, and my crop all going to destruction, and I am sick."

Q. Did Judge Johnston in that interview with you use any profane remark at all?—A. O, yes, sir.

Q. He swore?—A. Yes, sir.

OCCUPATION IN WASHINGTON.

Q. How long have you been in the city of Washington?—A. I have been here since January.

Q. What has been your occupation?—A. I have been working in the Pension-Office for a while.

Q. As a laborer?—A. Messenger.

Q. Are you there now?—A. Yes, sir.

Q. How long after you got here did you get your place?—A. I got it in April, I believe; I think it was April.

Q. Upon whose recommendation?—A. Senator Alcorn, E. K. Bruce, and Mr. Lynch.

Q. The delegation from Mississippi?—A. Yes, sir.

ABOUT CAPTAIN MONTGOMERY.

Q. I see you mention the name of Capt. William A. Montgomery.—A. Yes, sir.

Q. How far from you did he live?—A. He lives now about 22 miles from me.

Q. Are you well acquainted with him?—A. I think so; I have known him ever since I was that high. [Indicating the height of a small boy.]

Q. What is Captain Montgomery's character in the community?—A. He is a man of very good character. He is a great fighting man down there. Whenever there is any fighting on hand, he is the foremost; he is their leading fighter down there. Whenever they want any fighting done they send for him; he generally leads the mobs.

"VERY QUIET—ONLY IN TIMES LIKE THAT."

Q. Is he a disorderly person in the community?—A. No, sir; I don't look upon him as a disorderly man in the community. He is always very quiet, only in times like that. He was elected captain of the squad that came to my house.

Q. Where was he elected captain?—A. In Clinton.

Q. When?—A. After the riot on Sunday. Saturday night they all got together there, and each man would take so many men. He was elected captain of that company, and they had to go by whatever he said. There was Captain Montgomery, Captain Henry, and Capt. Jack Flanigan, captain of the Vicksburgh "Modocs."

HABITS OF MISSISSIPPI COLLEGE BOYS.

Q. Where were the men from who elected Captain Montgomery their captain on the Sunday after the riot?—A. They were all around there in the county; the citizens; some of them were college-boys there. The Mississippi college is there, and all the young men of that college have sixteen-shooters, and whenever anything happened they would buckle them on and walk out.

CAPTAIN MONTGOMERY'S COMPANY.

Q. Were they a part of these men who elected Captain Montgomery their captain on the Sunday after this riot?—A. Yes, sir; I saw Montgomery and asked him about it afterward, and he acknowledged to me that he was captain of it himself.

Q. Captain Montgomery was captain of the company raised there in Clinton, and composed in part of the students from the Mississippi College?—A. Yes, sir; I had the pleasure of knowing some of the students.

Q. How many men had he under him?—A. O, he had a good many; he had probably seventy-five.

Q. Did you see them together?—A. I saw them several times.

Q. How many were there?—A. About seventy-five, I think. I did not have much time to count them; I was getting away from them. They were trying to get to my house when I was going there.

Q. And you saw them in that way?—A. Yes, sir; they surrounded my house and I took back to the swamp again.

Q. Was he among them then?—A. Yes, sir; I knew him then at that time, and after it was over I met him and we had a talk, and he said that he was very glad that he did not find me there; that they certainly would have killed me if they had found me.

Q. When did he meet you?—A. After the riot and before the election, and he and I had a little talk over the matter. I asked him if he was there at my house, and he said yes, and that he was there as captain of the company; and he said, "I was very glad I did not catch you, for we would have went for you sure."

Q. How long before the election did you return to Clinton?—A. I was there about two weeks. I would stay there a little in the day-time, and sleep out and stay in the woods at night.

Q. How long were you there after the election?—A. Not very long. On the night when Caldwell was killed I left. They came to my house to attack me after he was killed.

Q. That was Christmas time?—A. Yes, sir.

SIVLEY AND TOMPSON.

By Mr. CAMERON:

Q. You spoke of Sivley and Tompson having retreated from the place where the riot occurred; do you mean by that that they fell back and that they were followed up by colored men. Explain what you mean.—A. Yes, sir; they were followed up.

Q. Who were followed; were the black men followed up by white men, or were the colored men following them?—A. Sivley and his crowd were the men that done the most of the fighting. In a quarter of an hour after that all was over and everybody was scattered, and people running from the riot in every direction, and Sivley was killed in this field. I don't know who killed him.

Q. Do you know whether he was pursuing other people or other people were pursuing him?—A. When I saw him he was fighting just as hard as he could shoot.

By the CHAIRMAN:

Q. How far from the place where he was killed was he when you last saw him?—A. When I last saw him he was very near where the riot began. When I saw him again he was dead.

By Mr. BAYARD:

Q. Where was he killed?—A. In T. G. Rice's field.

Q. How far is that from where this riot commenced?—A. Two or three hundred yards; probably three hundred yards.

W. H. BELL—HINDS COUNTY.

WASHINGTON, D. C., *July* 10, 1876.

W. H. BELL (colored) sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you reside?—Answer. At 1038 Eighteenth street, Washington, D. C.

Q. How long have you been here?—A. About four months.

Q. What are you doing here?—A. I am now admitted to the bar and expect to go into practice here.

Q. Have you been in business since you came here?—A. No, sir; I have not.

Q. Have you lived in Mississippi, and, if so, in what part of the State?—A. I lived at Clinton, Miss., Hinds County, ten miles from Jackson.

Q. When did you leave there?—A. I left there, I think, in February

Q. Near what town did you live?—A. I lived near Jackson.

Q. Did you hold any office while you were there?—A. I never held any office in the State, except that I was registrar at the last election.

Q. Where did you vote at the last election?—A. I voted at Ray mond.

Q. In your capacity as registrar, did you have anything to do with the voting?—A. Nothing further than to receive the ballots and place them in the box. I was secretary of the board.

RAYMOND ON ELECTION-DAY.

Q. You may state to the committee what transpired in Raymond on the day of the election.—A. On the day of the election I got up about half past six and went into the town of Raymond to the court-house. There were, I suppose, as near as I can judge, about 400 colored men standing in the town around the court-house. That was about half past six in the morning; I noticed all around town armed white men.

Q. How armed?—A. Some had what they called there the Winchester rifles, slung upon their backs. Everybody had mostly a navy six. Every man there went armed.

Q. When you say every man do you mean to include negroes and white men, both?—A. Most of the colored men went armed that were able to get them; that is they had a pistol—small-arms. It is a habit of the people there mostly to go armed.

HOW THE CHALLENGERS ACTED.

I noticed six or eight or ten white men riding outside of the town—it is a very small town—the county-seat—riding on the outskirts of the town, going here and there with their arms strapped on their backs. We went into the court-house to hold the election; as registrars, we had charge of one of the boxes there; there were two boxes in the town of Raymond. There were three members that constituted the board of registration, and these three registrars had charge of the box. In the aisle or hall of the court-house there were several white men who acted as a committee, challengers, &c., allowing the voters to come in in line. They admitted just such men as they pleased, and I as registrar could not say one thing or the other; could not object to anything. The colored men entered the front door and went out at the back, and many of them were actually rejected from the door. I entered my protest to Judge Alcorn, who was a member of the board of registration, and he went out and requested a lawyer there by the name of Sam Shelton to put a stop to that if possible.

WHY A REPUBLICAN WORE A DEMOCRATIC BADGE.

Q. Was Mr. Shelton a democrat or republican?—A. He is a democrat. After I had acted there for a while, about two hours, I went out the back door of the court-house and saw a colored man standing out there that I knew, by the name of Tears, who was an overseer of the poor in the town of Raymond. He had a democratic badge on, and held his office at the hands of the board of supervisors of Hinds County. He

was a colored man and a republican, I said to him, "Mr. Tears, what does this mean that you have a democratic badge on you and a democratic ticket in your hand." He said, "Mr. Bell, I am obliged to do it. I am as good a republican as you are, but I am obliged to vote this ticket." I never said any more to him.

WITNESS REGARDS HIMSELF AS INTIMIDATED AND LEAVES THE BOARD OF REGISTRATION.

Well, the night after the election we were not done making up the returns; we went into the court-house; I was the only colored man in there who was a member of the board. About 11 o'clock a young man by the name of Andrew Sivley, a relative of the Sivley that was killed at Clinton, came into the room where we were—a large room about this size, the office of Lawyer Shelton—armed with a 16-shooter strung upon his back and a navy six by his side, and he had in his hand a bottle of whisky. Well, now, I must confess, though not as a coward, that I felt some intimidation, so much so that I left the board of registration entirely in charge of the democratic registrar and his clerks, and I went out of one of the doors on the pretext of going outside, and left the court-house and went to my boarding-place and never returned at all. I just gave up the returns and everything to the democratic registrar. Judge Alcorn was somewhat of an invalid, and he had gone home and left me there.

SHOOTING INTO A CANDIDATE'S HOUSE.

The reason that I felt so was this: That I lived at Clinton and I had been quite prominent there, and I had been in the riot of September 4; also president of the county convention that elected delegates to the congressional convention, and also had had quite a good practice there, and was in that riot on the field during the difficulty. I felt that Sivley might have a grudge against me. They had ridden around there and had shot into a young man's house by the name of Wm. Johnson, who was a candidate for the legislature while I staid there one night.

By the way, there was a committee appointed by Governor Ames to go up there and investigate the matter, under the supervision of a man that was sent down there, Mr. Chase, United States agent, or whatever he may be called, and they found where a ball had entered above the door, knocked a piece of lumber off, and lodged upon his sister's bed. She was not in the bed; she was staying with a white family just across the street. None of his family were staying at home. He was in Jackson at the time, and did not return to his home during the whole election, and in fact none of the candidates returned to their homes but Senator Caldwell and E. B. Welborne, who has been examined here; they returned to their homes.

THE NIGHT BEFORE ELECTION—FIRING, NOISE, AND LIGHT.

The night previous to the election it was my duty, in company with the democratic registrar, to go to the city of Jackson and examine the boxes there. We did not have those boxes in our charge, but it was our duty, under the law, to go there and open and inspect the boxes and turn them over to the proper authorities. We got there about half past 8 o'clock and we left there about half past 10. We got to Clinton about 12 o'clock on our return, and when I got to Clinton I heard considerable firing and considerable noise and light, as if the town was on fire. And we drove on down into the town of Clinton and stopped at a certain place, and I saw about 150 or 200 men running about there and shooting off their guns. This was about 12 o'clock.

Q. At night?—A. Yes, sir; the night before the election. They were pouring powder or something else on a bonfire that created a red light,

and were running up and down, and they had on uniforms—disguising themselves. I said to the democratic registrar, who was with me in the carriage, "I cannot go through that town." He said, "You can go through with me; there is no danger." I told him that I could not go, and I seized the reins of his horse, and he said, "I know the plan." He said, "They are not going to hurt you; you are a registrar, and your office will protect you." I said, "I am not willing to trust to that; these men, when they are excited, they go beyond all reason." He said, "Well, if you won't go through town I will drive around—we will go around the other road;" and we did so, taking a road around the town of Clinton; and when I got to Raymond it was about half past 2 or 3 o'clock, a distance of ten miles.

It was my duty to be at Raymond next morning to hold the election. When I got there the same thing was going on in Raymond. I got out of the buggy and walked to my boarding-place. Nothing was said to me, and no violence was going on, further than everybody there in Raymond was firing off and shooting their guns, just the same as they were in Clinton.

NEGROES SAY THEY WERE OBLIGED TO VOTE THE DEMOCRATIC TICKET.

Q. When you say everybody do you mean negroes as well as white men?—A. I mean merely white men; the only class of men that I saw in it were white men.

Now, in regard to this man Tears, that I have spoken of as the overseer of the poor, there were at least half a dozen told me the same thing; men that I spoke to after I went away from the registration; I asked them why they voted the democratic ticket—men who were personal friends of mine—and deposited the democratic vote in the box—and every man that came in at the door was stopped by one of these democratic challengers—and they gave me that one reason, that they were obliged to do it.

Q. Did they tell you what they said to them or did to them that obliged them to vote the democratic ticket?—A. One of them made this remark to me: "I live on Sivley's place, and they came to me and told me that I must vote this ticket or I could not live there." That was the only reason they assigned to me. I never stopped to have any talk with them; the election was then over.

WHO FIRED THE FIRST SHOT AT CLINTON.

In regard to the riot at Clinton, in the republican club I made a motion by which that mass-meeting was held at Clinton. After the nomination of our Congressmen, my idea was to have a grand celebration and mass-meeting. We had it, and you know the result.

Q. Do you know who fired the first shot at Clinton?—A. I am not positive about that, but everybody said that I have talked with that Thompson fired the first shot.

Q. Frank Thompson?—A. Yes, sir.

Q. Was he a white man?—A. Yes, sir.

Q. Did you know him?—A. I had seen him; I did not know him.

Q. You said some time since that the people there were generally armed, and that all the negroes had arms that could get them?—A. I meant to say that the colored men who were able to have pistols.

Q. What proportion of them had pistols, being so able?—A. There was not, I suppose, more than about three out of every twenty who were able to have pistols. The colored people, after making a crop, are generally not able to have anything left; they are unable to get anything—hardly food.

PERSONAL RECORD OF THE WITNESS.

By Mr. BAYARD:

Q. What did you say your occupation was?—A. In Mississippi or here?

Q. In Mississippi?—A. When I first went down there I was made principal of a school at Clinton.

Q. When did you go to Mississippi?—A. I went there in 1873.

Q. Where did you live before that?—A. I had lived here.

Q. What was your occupation here before you went?—A. I was supported mostly by my parents. I went to school in Pennsylvania, graduated from the university there in 1873, and went right to Mississippi.

Q. You were very young when you went there?—A. Yes, sir.

Q. How old were you when you went to Mississippi?—A. I was about twenty-three.

Q. And you were teacher after you went there in Clinton?—A. Yes, sir.

Q. How long did you teach school there?—A. Only from '72 to '73—one session.

Q. What did you do after that?—A. I was then admitted to the bar in the practice of law.

Q. How long did you keep at that?—A. Until I was appointed a member of the board of registration.

Q. By whom?—A. I was appointed by the sheriff of the county. Under the law there the sheriff appoints one, and the judge of the circuit court another, and the judge of the chancery court another.

Q. You were appointed by the sheriff?—A. Yes, sir.

Q. How long were you occupied in the duties of registration?—A. About sixty days, I guess.

Q. And after that you were one of the judges of election?—A. Yes, sir; under the law we were required to take charge of one of the boxes.

Q. And, as registrar, you and the two other registrars appointed the judges throughout the county, did you not?—A. Yes, sir.

THE REGISTRARS AT RAYMOND.

Q. Who were the other registrars with you?—A. A man by the name of Simmons was the democratic registrar, and R. J. Alcorn was the republican in connection with me.

Q. Who appointed Mr. Simmons?—A. Judge Brown, republican judge.

Q. Do you know Mr. Simmons?—A. I know him very well.

Q. He acted with you?—A. He acted with me.

Q. What kind of a person was he; how did he perform his duty with you?—A. Simmons was a very good man; he was a lawyer. I have had one case with him down there.

Q. Do you think he is an upright and intelligent man?—A. As far as I know he is an upright man.

Q. You found him to be so in your intercourse with him?—A. Yes, sir.

Q. Did you sit with him at the box that day?—A. Yes, sir; I sat with him at the box.

ELECTION INCIDENTS AND OFFICERS OF THE TOWN.

Q. Did you see anything at the election, except what you have described, that was irregular or disorderly?—A. There was nothing there irregular at the box, with the exception of this man I have spoken of coming in.

Q. You say that a crowd of four hundred colored men gathered at half past six o'clock in the morning: were they within the court-house or outside?—A. Outside, in the town.

Q. Waiting for the polls to open?—A. Waiting for the polls to open.

Q. When you held the election, you held it in one of the rooms of the court-house?—A. We did not hold it in the room, we held it in the aisle of the court-house that leads in from the main door.

Q. Did you take the votes in the inner corridor of the court-house, or from the outside window?—A. From the inner corridor.

Q. Were the persons that came in to vote let in at one door?—A. Yes, sir; at one door.

Q. And let out, after they voted, at another place?—A. Yes, sir.

Q. Who was the sheriff of the county?—A. W. H. Harney.

Q. Who was the mayor of the town?—A. I did not know the mayor of Raymond.

Q. Was he a republican?—A. A democrat.

Q. Who had the police control of the election that day?—A. The city authorities; the democrats had it.

Q. But who had the control, the sheriff or the registrars?—A. It came under the registrars; that is, the law provided that the registrars should be conservators of the peace; but under that law we had no authority.

NOBODY INJURED AT THE ELECTION.

Q. Was there any one, to your knowledge, personally injured that day at the polls?—A. Not a living soul.

Q. Did you yourself know of any obstruction to the right to vote of any one there?—A. No further than I have described; white men were running around there all the time armed.

Q. Did they injure any one?—A. They did not injure anybody.

Q. When this young man came into the room, who were assembled there with you?—A. There was Mr. Simmons; there was a son of Mr. Shelton, who was acting as clerk of the board of registration, and two or three other young white men.

Q. They were proper persons to be there?—A. They were proper persons.

Q. Did you consider them proper persons, fit to be trusted with the duties they were performing?—A. I regarded them as young men of good families.

Q. You had a voice in their—— ?—A. I had a voice in their selection.

Q. Was anything actually done to you to injure you?—A. There was nothing actually done to me.

ABOUT THE INTIMIDATION OF WITNESS.

Q. Why did you state you left there feeling uncomfortable, and why is it you mean to say that anything wrong or improper was done with this poll-box after you left?—A. I mean to say this, that under the law and under all custom, no armed men under any circumstances had any business in the room where the registrars were making up the returns.

Q. Was there more than one came in when this young man came in with a gun on his back and a bottle of whisky in his hand?—A. Yes, sir; there were others in connection with him.

Q. Who were these others?—A. I don't know.

Q. How long did they remain?—A. They staid there until after 12 o'clock.

NO PROOF OF DISHONEST DEALING WITH THE BALLOTS.

Q. Have you any reason to suppose that there was anything that was dishonest done with the ballots in that room by the people you left

there?—A. Well, I can only conjecture in regard to that matter; I can say this, that I left the box and the ballots in charge of the democratic registrar alone, absolutely alone; and that, under the circumstances, they might have done what they wanted to do. Whether they did I could not say.

Q. Did you not say that this man whom you left there, you had acted with as a registrar, and that he was a lawyer and that you believed him to be a man of character and ——?—A. I believe that, sir.

Q. Where was Mr. Alcorn?—A. He was at his boarding-house; Judge Alcorn labored under an indisposition at the time, and he was an invalid anyhow.

Q. There was nothing to prevent his being there if he had chosen to come?—A. I think he was sick; he was a day or so to my knowing.

Q. Did he sit with you during the taking of the votes?—A. Yes, sir; he sat there all day.

THE BOLTON BALLOT-BOX BROKEN OPEN.

Q. Was there anything that came to your knowledge or made you believe that the result of the election had been changed by false or dishonest means; have you any knowledge of any facts of that kind?—A. I have no further knowledge than this: that at one of the precincts in the county, which was Bolton—a little town called Bolton, right on the railroad—the republicans carried that, and a gentleman by the name of Mr. Myrick was on his way home with the box. He is a merchant in town, and a man of very good standing too. While Mr. Myrick was entering the hall of his house two or three men, I don't know which, went behind him and seized him around the neck and took the box away from him; wrenched it out of his hands, and hurt his hands to some extent. They took the box and broke it open and threw the ballots into a well, and they discovered them there the next morning.

Q. What was done with that poll?—A. That poll was thrown out; but Mr. Simmons made a proposition to the board. One of the judges of the election and one of the clerks testified before the board of registration that, so far as they could judge, there was a certain number of votes when they had finished counting that night; they had not exactly finished up, and they were to commence again the next day; and Mr. Simmons made a proposition to insert that in the tally-sheet. Mr. Alcorn objected to that on the ground that it was an irregular mode of proceeding, and that we had no right to insert it upon conjecture. I agreed with Mr. Alcorn. Mr. Simmons took me aside and asked me to concur with him in making a statement in the tally-sheet that Bolton had polled a certain number of votes. I told him that I could not possibly do it; I did not think it was according to law, and I did not think it right to conjecture as to the number of votes polled at Bolton. That was the only thing that I ever thought looked as if he was willing to do anything that was wrong.

SUBSEQUENT PROCEEDINGS.

Q. Did you personally, the next day, or at any other time, conclude your tally?—A. After I left the court-house?

Q. No; after you and Mr. Alcorn and Mr. Simmons conferred together; and when you and Mr. Alcorn agreed in rejecting this estimated vote, did you, after that, complete the vote of the county?—A. Yes, sir. We completed it after that.

Q. And the only thing that you know of in the way of any irregularity was this proposition to you to take this estimated vote which was based

upon the statement of the judges as far as they proceeded in counting?—A. Yes, sir.

Q. You don't think that was justifiable?—A. I don't think that it was a fair proposition.

Q. If that had been allowed, would it have given a republican or a democratic majority at that poll?—A. It would have done this: it would have elected the republican beat officers.

Q. The proposition of Mr. Simmons was that you should make the estimate the return for that box, which would have elected the republican officers?—A. The proposition was to make it a certain number of votes, which would have defeated these republicans, according to our judgment, and they conceded this.

Q. And you, having the majority, declined his proposition?—A. Yes, sir.

Q. And you threw out that box?—A. Yes, sir; we threw out that box.

Q. Is there any other irregularity that you know of in regard to that?—A. None whatever.

ADVENTURE AFTER THE CLINTON RIOT.

By the CHAIRMAN:

Q. Is there anything else that you wish to state?—A. I would like to make this statement to the committee: that after I left the field at the Clinton riot I came off in company of two or three gentlemen, who walked off with me and went to my home. I live right adjoining the town; I lived on the suburbs of the town. After I staid there about three-quarters of an hour armed men were coming all the time from Raymond past my house—men who were living on the road—and I concluded to go down in the woods and stay that night, fearing that something might occur. Well, a committee of ten armed men came to my house and my wife was there; my wife and the children. I staid in the woods three days and nights and could not get out. On Tuesday morning I left the town of Clinton and walked to Jackson. I have got a letter here that I would like the committee to see also. I make this statement, that after I went to Jackson I returned to my home and staid there until the killing of Caldwell. I moved out of my home and went in with him, and on the night of the killing of Caldwell I went down town to look for him, and when I got down there he was shot. I did not go exactly up to them; I staid behind a little blacksmith shop. I then turned around, after I found he was shot, and went down the railroad, and I was captured there, on the railroad, by a picket of four young men from the Mississippi College, who had Whitney rifles on their shoulders; and after they halted me they seemed to have been astonished to have captured me there. I pleaded to them to save my life after they captured me, and they said "We are obliged to take you back to town and report to our commanding officer." I went back with them, and I appealed to them all along the route.

By Mr. BAYARD:

Q. Who was the commanding officer?—A. Judge Cabinis; he was an ex-chancellor there under Governor Alcorn's administration. After I got back there and got right at the corner of the street where Professor Hillman's Female Academy is, in company with these guards, a man drew a gun down on me, who was standing there, and said, "You are a dead man;" and the gentleman who wrote this letter was standing there, jumped in, in front of me, and seized me by the collar and said, "You come with me; I will take charge of this man;" and he wanted

to take me to his house, but I said I did not want to go there as there were a lot of young men standing there and I felt uneasy about going there and staying there that night. He said, "Where do you want to go?" I said, "Take me into Professor Hillman's Female College." He said, "I will take you in there." He was a clerk in a store there, and a very good friend of mine. I went in there and Mrs. Hillman wanted me to go up-stairs in her bed-room and stay under her bed; and Professor Hillman came in in company with Judge Cabinis. After he learned I was there Judge Cabinis thought it was wise for me to stay there. Professor Hillman did not think so, and the result was that this young man went up to get my wife and child and brought them down, and Mrs. Hillman took them into her bed-room and they staid there all night. That night I walked to Jackson.

Mr. Hillman went with me into the swamp and left me; he shook hands and told me that he thought I would get through safe. After I got to Jackson I wrote this young man a letter thanking him for his kindness, and here is his reply:

CLINTON, MISS., *January* 16, 1876.

DEAR SIR: Your esteemed favor of recent date was handed me a few days since by Mr. Lewis. In reply, I must say that I think you overestimate the little act of kindness shown you by myself on the night of the 30th ultimo. I simply did what was my duty, as my conscience dictated to me, which I hope to be able to do at all times when a good man's life is at stake, though I feel highly and undeservedly complimented by you saying that I was the man that saved your life. I will take this expression of gratitude as an evidence of the friendship you bear toward that part of the white race that is willing to extend to you the respect and confidence you have merited while you were a citizen of the ill-fated Clinton; but, sir, I cannot take it all to myself; I only did with you what I would have done with any man that had conducted himself as a man should. I was, indeed, sorry that I was not able to give you the articles you asked me for. I know that it would have been of advantage to you in your long tramp that dark and —— night. I would ask you to come back among us, but I believe it is useless to do so. My opinion is, and has been, that you have accomplished much good among us, and it is with regret that I accept your absence from our community. And wheresoever you go I predict for you success, and I trust you may one day be induced to call by this way and see some of your friends.

And, in bidding you adieu, allow me, as a disinterested friend and well-wisher, to suggest to you, that if you stop anywhere in the sunny South that you be very particular and cautious about your association, especially politicians.

With this suggestion I will close for the present, but will again speak to you on the subject.

Hastily, your friend,

JOHN W. TODD.

Mr. W. H. BELL,
Jackson, Miss.

This gentleman is a clerk in the store of the gentleman that presided over that peace conference in Jackson that called on Governor Ames and demanded him to disband his militia.

By Mr. BAYARD:

Q. Is this one of the young men who was under arms that night?—A. He was one of the young men who were under arms, and the supposition is that his brother was engaged in the killing of Senator Caldwell—that is the general impression down there. I had done him some little favors; I had, in my capacity as a member of the bar, done some favors for white people as well as colored.

ADVENTURE AT COURT.

By the CHAIRMAN:

Q. What led you to leave Mississippi?—A. There is another thing that I would like to state to the committee. There was a colored man killed on a place about ten miles from my residence, by another colored

man. Some of the colored citizens had, in that neighborhood, employed me to prosecute this man who killed the other man. He was arrested on Saturday night, and taken before a justice of the peace and released on a bail of $500. They did not think it was right, and they came over and employed me, and I got on the cars the next morning and went to Jackson and prosecuted him before a justice of the peace in Jackson. The result was that I sent him to jail without bail. There was a young white fellow there by the name of Dameron—I made a pretty bitter speech against this black man, and in my remarks I made a statement that had that been a young white man that had killed a man of his own color who was of this man's age who was killed, (he was 64 years of age,) they would have risen in arms and hung him to a tree; and I went on in that strain. This young fellow Dameron met me outside of the court-house two or three days afterward. He had been out to the jail to see this black man who had killed the other man, and I asked him what was the result about the case of this man, whether it was concluded to postpone his trial—continue his trial until the next term of the court. He said, "What in hell is it your business?" I said, "I was employed by the citizens in the case." He was a man that everybody knows carried his navy six on his side. I did not say anything more then. He was angry with me for having prosecuted this man. I went into the court-house quickly, because I knew how the men acted in that country down there, and that ended that.

Two or three days afterward I met him on the corner on the opposite side of the court-house. I was talking to two or three of my friends, and he was going along in company with two or three young white men; they stopped about as far as from here to that hat-rack, [about 20 feet,] and he looked deliberately at me. Well, I glanced at him, and one of the young men said, "There is your beauty now, why don't you go for him." I saw the fellow wanted to bring on a difficulty, and I went into a saloon right on the corner, and that closed up that.

LEAVES THE STATE.

My wife said to me, "The best thing you can do is to leave this State and go to Washington." I made up my mind to do so; I bought my tickets, I don't know on what night it was; I know there was a man I noticed when I bought my ticket, a very nice-looking man, and a man who looked like a man of some influence. I got on the train at 3 o'clock at night and left in company with my family, and this man was on the train. When we got to Canton a big rough white man got on, and began to rush up and down the car with a bottle of whisky, asking his friends to drink. This man whom I had noticed at the depot was sitting opposite to me. It was on Sunday night, and we went on up to Holly Springs, and several young fellows got on between Clinton and Holly Springs. When I got to Holly Springs I felt uneasy about their actions on the train; I went out on the platform and looked over in the town of Holly Springs to see if I could see a friend of mine, when one of the young fellows said to me, "Halloo, Bell, where are you traveling?" Said I, "I am just going up the road a little ways; where did I have the pleasure of seeing you?" He says, "You cut my hair at Clinton." I never had a pair of scissors in my life in my hand for such a purpose as that, and I concluded at once that something was wrong, and I went into the car, and my wife was sitting with her face to me right near the door, and these young fellows were standing in the aisle right near her, and this big fellow was running up and down the car insulting everybody in there mostly that was colored; and he took his pistol out and pointed

at me several times, and said what he was going to do, and one man said, "No, don't do that; respect the ladies in here." There were one or two white ladies in the car.

I whispered to my wife, "I believe these men are going to assassinate me, from the manner in which they are acting." She said, "I am under that impression myself; suppose you get off at the next station, and go into a saloon, and pretend that you want to get something and stay off." "Well," said I, "I will try it," though I had my pistol with me, but there was several of them.

I got off at a little place called Michigan City, and I went into two or three different stores, but I found that that would not work, because they all got down on the platform and watched me there. I had given my wife her ticket, and had mine, and told her to wait in Louisville, Kentucky, and I would meet her there, and to go to a colored friend I had there, young Harper, a member of the Louisville bar, and stop with him until I got there. I found that it would not do for me to stop in that little place. I had walked around in town. The whistle blew, and I ran as if in a hurry to get on the car, and the result was that I jumped on the palace sleeping-car behind. I swung on there, and got up and called the porter to me, and, says I, "There is some men in that car there that seem to be wanting to make an attack on me, and I want to get off within two miles of the next station." Said he, "When the whistle blows that is your time to get off; I am satisfied that there is going to be trouble here." Said I, "Now, I wish you to take charge of my wife when she gets to Louisville; get a carriage and take her up to Mr. Harper's." I knew him well; he was from Louisville himself.

I got within two miles of Grand Junction—there was a little cabin of colored people—I jumped off the car while it was going at full speed, and I went up to these colored people's house, and the woman's husband was not there. I told her I was very much fatigued. I had fallen in the mud when I had got off the car. I did not tell her what was the matter, because the woman was so extremely ignorant that I could not make her understand me. I staid there until about seven o'clock, when her husband came home, and I persuaded him to go down to Grand Junction with me. We went down there, and I got in with a colored person, and staid until about three o'clock the next morning, and when the cars came along I jumped on and went to Louisville, and got there that night at ten o'clock, and met my wife, and left Louisville the next day.

H. T. FISHER—HINDS COUNTY.

WASHINGTON, D. C., *July* 12, 1876.

HIRAM T. FISHER sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you reside?—Answer. My home is at Jackson, Miss., but I am temporarily here. I have resided in that State, except one year, since the close of the war.

Q. Of what State are you a native?—A. I am a native of the State of Ohio.

Q. Did you take any part in the late civil war?—A. Yes, sir; I enlisted in 1861 in the Army, and I served through until the spring of 1866.

Q. In what capacity did you serve in the Army?—A. I served as private in the first place, and non-commissioned officer, and was mustered out as a captain.

Q. When did you remove to Mississippi?—A. I removed there as a civilian in the spring of 1866. I first went to Jackson, Miss., in 1865, and while I was still in the service; made arrangements for planting, expecting to make Mississippi my permanent home when I was mustered out of the service, which I did.

Q. What occupation were you engaged in while in Mississippi?—A. Well, sir, I planted two years, and then I was engaged in the newspaper business, which is my profession now.

Q. What newspapers were you connected with while in Mississippi?—A. I was first connected with the Jackson Pilot, and then I established and edited the Educational Journal of Mississippi, and subsequently I was connected as editor and publisher with the State Leader, and last with the Jackson Daily Times, which I was editing last summer and fall.

POLITICS OF WITNESS AND OF BARKSDALE.

Q. With which party were you connected while in Mississippi?—A. I went to Mississippi a democrat, and affiliated with that party until after the election in 1867. A wing of the democratic party were in favor of the reconstruction policy of Congress, and I co-operated with that wing. It was represented principally by Mr. Barksdale, editor of the Clarion, who was a very ardent supporter of the reconstruction policy at that time, and wrote some very strong articles in its favor. And I continued with the democratic party until after the election of 1867, when all the democratic party united against the policy of reconstruction. I then disconnected myself with that organization and became a member of the republican party, which I have been ever since.

Q. State whether Mr. Barksdale changed his views upon that question, as appeared from his newspaper.—A. I should judge that he had changed his views entirely as early as 1868. The reconstruction party, or element of the party, was very strong in 1867, though not as strong as the other wing; but after the Ohio election, when that State declared against negro suffrage by about one hundred thousand majority, and the opinion prevailed South that the democratic party would triumph in the ensuing presidential election of 1868, it seemed that the reconstruction democracy entirely collapsed, and left every man out, in the State who espoused that cause. Mr. Barksdale co-operated with the democracy in 1868 and indorsed the platform of the party adopted in that year. I have it before me here.

DEMOCRATIC PLATFORM IN 1868.

Q. What did the platform of the party of 1868 declare upon that subject, if anything?—A. Well, I have here the platform adopted on the 15th of January, 1868, in which I find this resolution:

"*Resolved*, That the nefarious design of the republican party in Congress to place the white men of the Southern States under the governmental control of their late slaves, and degrading the Caucasian race as the inferior of the African negro, is a crime against the civilization of the age, which has only to be mentioned to be scorned by all intelligent men, and we therefore call upon the people of Mississippi to vindicate alike the superiority of their race over the negro and their political power, and to maintain constitutional liberty."

Q. Some testimony was given before the committee in Mississippi in regard to the white-line policy adopted by the democratic party in that State: I ask you how early that policy was adopted by the democratic party, and how constantly it has been adhered to by the party since.

ADOPTION OF THE WHITE-LINE POLICY BY THE MISSISSIPPI DEMOCRACY.

A. The first official proclamation of democratic principles after reconstruction began, in 1867, is presented in the resolution I have just read. That was the first assemblage in State convention. At another convention of the party, held at a later day, probably as late as March or April of that year, my recollection of it is that they promulgated substantially the same policy. The contest of that year was made largely in opposition to the new constitution on their part, and that was the fundamental basis upon which they organized. Our opinion was that they opposed the new constitution more on account of their opposition to reconstruction than on account of the provisions of that instrument which were regarded as obnoxious. Subsequently, however, for several years the democratic party adopted compromise platforms, indorsing the reconstruction policy of the Government, and adopting such platforms as in fact might be regarded as pretty sound republican doctrine. The platform adopted in 1869, upon which Mr. Dent was made a candidate for governor, was a republican platform, and he was presented as much as a republican candidate as a democratic candidate. Subsequent platforms were of about the same character. The platform of the party during the last campaign in the State was a very good one. Nothing appeared objectionable in that platform; but the party leaders in the different sections of the State didn't regard that as at all binding upon them, as I could very easily show from extracts from their newspapers. They maintained all the while that it was a declaration in favor of the white-line policy, and many of them claimed that it was a great mistake that they ever resolved to pursue any other policy than the white-line policy upon which they originally, in reconstruction, entered upon the canvass of the State. This white-line policy of 1875 is substantially the same as the policy of '68; and during all this period of reconstruction and republican government in the State, while the democratic party has been pledging itself to republican principles apparently, we generally understood that the real sentiment of the party was opposed to those principles; and there are frequent declarations of that kind made by the newspapers and by men upon the stump.

WITNESS'S KNOWLEDGE OF THE CAMPAIGN.

Q. Did you take any part in the political campaign of 1875 in Mississippi?—A. Yes, sir; I necessarily took some part in it.

Q. You may begin, Captain Fisher, and state your knowledge of the manner in which that campaign was conducted by the democratic party in the State of Mississippi.—A. My knowledge of the manner in which the campaign was conducted by personal observation is confined merely to Hinds County, where I reside. I had a considerable opportunity of knowing about how the campaign was going on in other portions of the State through my numerous exchanges, republican and democratic.

Q. Well, you may proceed.—A. When the democratic State convention was held in August, 1875, and a moderate platform was presented, apparently the moderate element of the party had the ascendency in that convention, and would have in the canvass of the State, and the republicans were very much encouraged because there was evidence in that to their minds of a peaceful and quiet canvass and election. We always feared that great danger would come to the State and to the republican party if the attempt were made to organize upon the white-line policy, because we knew that the worst elements of the party would control the organization, and that they would be utterly regardless of

the means tney employed to carry the State. Hence, we hailed the announcement of that platform and the evidence of good-will and an honorable canvass by that party with considerable pleasure. But it soon became evident that those were mere idle declarations, and that they were not to be observed by the party at large in the State to any great extent.

DEMOCRATIC NEWSPAPERS ADVOCATE WHITE-LINE POLICY.

The press of the State about that time was particularly ardent in its declarations in favor of the white-line policy, as I might show from numerous extracts that I made at the time from democratic exchanges, and everywhere there were evidences that the white-line organization was to be the organization of the democratic party.

The Hinds County Gazette, regarded as a conservative newspaper, and edited by a gentleman who has since been elected to the legislature, and, I believe, was United States commissioner at the time, espoused that cause, and favored that sort of an organization. I have here an extract from an editorial that appeared in that paper, I think, as early as June or July, 1875.

Q. Where was the paper published?—A. At Raymond, Hinds County, Mississippi. This is an extract, and I read it to show the spirit in which the canvass was inangurated in our county, and I may say here, that this extract was very largely indorsed throughout the State by the democratic press, and accepted as presenting the proper policy to be pursued under like circumstances elsewhere. I will read the extract:

> There are those who think that the leaders of the radical party have carried this system of fraud and falsehood just far enough in Hinds County, and that the time has come when it should be stopped—peaceably if possible, forcibly if necessary. And to this end it is proposed that whenever a radical pow-wow is to be held, the nearest anti-radical club appoint a committee of ten discreet, intelligent, and reputable citizens, fully identified with the interests of the neighborhood, and well known as men of veracity, to attend as representatives of the tax-payers of the neighborhood and county, and true friends of the negroes assembled, and that whenever the radical speakers proceed to mislead the negroes, and open with falsehoods, and deceptions, and misrepresentations, the committee stop them right then and there, and compel them to tell truth or quit the stand.

I may say truthfully in that connection that, so far as I have any knowledge of the politics of this county, and I probably am as familiar with the county as any person in it, I never have known such speeches to be made as he declares here to have been made. The county of Hinds was probably as well governed as any county in the State, democratic or republican. The people paid their taxes as willingly, and they were as well contented probably as in any county in the State. I don't remember to have seen or heard of any complaints of maladministration of any consequence, and we were of the opinion that Hinds County was pretty fortunate in being well governed; that there was no cause for complaint from any source.

Notwithstanding this, however, we had this declaration thrown into our faces, and it was evident to us at once that a desperate campaign was about to be inaugurated. We knew what would certainly follow if this policy were carried out in the county, and we had no right to think that it would not be; that it could only lead to bloodshed; that bloodshed must be inevitable; that if the democratic citizens claimed the right, and would assert the right, to attend our meetings and disturb and break them up in this manner, that the republicans would not be likely to stand it, and the result would be bloodshed.

THE CLINTON RIOT.

The first disturbance we had in the county after that declaration oc-

curred on the 4th of September, 1875, familiarly known as the Clinton riot.

Q. You were present at that meeting, I believe?—A. Yes, sir. The posters for some weeks previous had announced that Governor Ames, Hon. James Hill, secretary of state, and myself would address a republican meeting at that place on that day. It was to be the opening meeting of the canvass in the county, and the republican clubs throughout the county were invited to attend, and probably as many as five or six clubs, making five or six hundred men from remote portions of the county, attended the meeting.

THE REPUBLICANS WERE UNARMED.

I wish to say right here, inasmuch as I have seen a great deal in the democratic papers in the State about the character of the preparation to have a difficulty at Clinton on that day, that there were instructions given to the reublican clubs throughout the county to leave their arms at home. I was sitting on the gallery of Mr. Caldwell's house about eleven o'clock on the day of the meeting, and there were the presidents of some of the clubs and leading members of others present, and we were talking over this matter of coming with arms, and congratulating ourselves that the republicans had turned out that day almost wholly without arms, which I believe to be so, so far as my knowledge goes, and I have a right to know, because I inquired particularly into that matter.

SENATOR CALDWELL'S PEACE POLICY.

Governor Ames and Mr. Hill didn't attend the meeting. Mr. Hill had an engagement at Vicksburgh, and Governor Ames, for some reason that I don't know, was not present. We were advised that they would not join the meeting a few days before it was held, and then Mr. Caldwell suggested that the democrats wanted to have a joint discussion. Mr. Caldwell resided at Clinton. He said he thought it would be conducive of good feeling to give the opposite party an opportunity to say what they might have to say, and that we could very well afford to hear them, because it would give us an opportunity probably of speaking to democrats; that they would very rarely attend our meetings; and I quite cordially agreed with him, and said to him that he might see the democratic committee at Clinton, and let them invite whoever they pleased, and I would be on hand and discuss the questions of the day with him.

JUDGE JOHNSTON'S DEMOCRATIC SPEECH.

They invited Judge Johnston, of Jackson, a very conservative and good man, to speak upon their side. By the arrangement which we entered into, Judge Johnston was to speak an hour and I was to speak an hour and a half, and he was to have a half an hour to close the discussion.

The meeting was called together about half past twelve o'clock, and Judge Johnston took the stand and spoke his allotted time. There was no disturbance, but the utmost good order prevailed and attention to his speech by both republicans and democrats. There had been the precaution taken by the parties who arranged for the meeting on that day to have a number of policemen appointed to preserve order, and they had particular instructions to see that no intoxicating drinks or liquors of any kind were brought onto the ground. It was a sort of gala day with the republicans, and, as I have said, they came from all parts of the county, and brought with them their wives and children.

There were many small children and very many women, and a very large attendance, probably from two thousand to twenty-five hundred people.

THE WITNESS BEGINS HIS REPLY.

After Judge Johnston had completed his speech I was introduced, and began by complimenting the judge upon his very conservative and conciliatory remarks, and congratulated the audience that he had made such a speech; and expressed the opinion that if such speeches were made in conjunction with republican speeches in the county, it must have the effect of doing a great deal of good, and that, for one, I was particularly anxious and desirous that such meetings might be held throughout all the county during the canvass; that the democratic speakers and republican speakers might meet together and address mixed audiences, and let the people judge from the speeches for themselves whether it was better to vote the democratic ticket or the republican ticket, or not to vote at all.

THE RIOT BEGINS.

I had spoken in that strain probably five minutes, when I saw a disturbance, and the gathering of a number of men on the left of the stand, about fifty yards distant, and in a short time it became so boisterous that they disturbed my speaking, and I stopped. I saw that a large portion of the audience toward the outskirts were leaving and going toward the trouble, and I requested the gentlemen to remain there and listen to me, as my time was limited, and that I supposed the difficulty would not amount to much, and if they would give me their attention I would go on.

Q. Who were the men engaged in this disturbance?—A. If you will permit me, I will state what little I know on that subject.

Q. Very well; go on in your own way.—A. There were cries of "Go on, go on," and a large portion of the audience seemed willing to remain there, democrats as well as republicans. I attempted to speak again, but it seemed that the trouble was more attractive than I was, and they continued to gather over in that direction. I then turned to the time-keeper, Mr. Hendricks, a democrat, and asked him to give me credit for the lost time, and waited leisurely upon the stand for the disturbance to quiet down, and had no idea that it would prove so serious. In fact, I thought we had so thoroughly satisfied those who might antagonize us that day, by making the concession for a joint meeting, that I could have no idea that there was going to be a disturbance. We waited there probably a few minutes. There were a number of us remaining on the stand.

In the mean time the band struck up. The musicians knew the fondness of the colored people for music, and they thought that the beating of the drums would put them in good cheer and bring them back to the stand, as the band was close to the stand at the time. They played a few minutes, when I heard a shot fired down in the midst of the crowd. There was a very large crowd where the pistol was fired, and I could hear some very boisterous talking. After the first shot was fired, then the shots came in such rapid succession that they could not be counted. Of course, that dispersed the crowd, and there was considerable screaming and running and excitement. Then there was a short cessation in the firing—only an occasional shot. I suggested to Judge Johnston that we go down to the scene of the disturbance and see if we could not suppress it. The judge said that he certainly had said or done nothing to provoke a disturbance, and I said to him he had not;

and I certainly hadn't, as I had had no opportunity of speaking; but I said to him that we might possibly quell the disturbance—that I would use my influence with my friends and he might with his, and he partially consented to go; and we were about to go, when the firing was resumed, much heavier than at first, and it was more general and promiscuous throughout the crowd.

WHO THE AUTHORS OF THE DISURBANCE WERE.

Many shots were fired. I do not know, personally, who were the authors of the difficulty, inasmuch as they were too far away from me to see. I will say this: that I do not think it was a concerted purpose or plan upon the part of all the white men there, if it was upon the part of some, to have this difficulty. There were a number of peaceable and well-disposed citizens gathered there, who, I think, were as much surprised as I was. I met some of them on the way over to Clinton from the scene of the disturbance. I mention Captain Ratcliff, of Raymond, and a Mr. Hughes, who resides near Clinton. I overtook them on the way to Clinton, and asked them if they would not co-operate and prevent the disturbance from extending over to the town; that I thought it a very serious and sad affair, and that it might extend to town if something were not done to prevent it. They said they would be very glad to co-operate with me in doing anything they could do, although they did not see that anything could be done, and they told me at the time that they were not armed and not expecting any difficulty.

There were some desperate young men upon the ground, who, I understood, were in the difficulty, and I judge from what I saw of them during the day that they had been drinking. and they probably were engaged in this first firing; but I do not know how many of them were responsible for it.

Q. Where were these young men of whom you have spoken from?—A. Well, sir, some were from Clinton; one of them, I think, was from Yazoo City—I have forgotten his name, but he was a young lawyer. I have frequently seen him. I had personal acquaintance with but few of them, although I had seen them before in their several localities at home.

POSITIVELY NO PREPARATIONS FOR DISTURBANCE BY THE REPUBLICANS.

The firing was an entire surprise to the republicans present, as I have every reason to know, and I am fully satisfied; and this point I wish to make explicit, because I inquired particularly before and after the riot to ascertain the fact whether there was any preparation upon the part of republicans to have a difficulty there that day; and I think that it was infinitely more deeply regretted by them than by the other party, because, as the result shows, nearly all the evil consequences of the riot fell upon the republicans of the county and State; and their disposition for peace and for quiet, and for orderly meetings, and for an orderly election, was not only manifest in Hinds County, but it was generally throughout the State of Mississippi, as we knew that only by a peaceable canvass and peaceable election we would be able to get our voters out and carry the State, which we felt entitled to do.

UTTER TERROR IN HINDS COUNTY UNTIL THE ELECTION.

I might add, probably, that after the Clinton riot the county of Hinds was thrown into a state of utter terror, which prevailed until the day of election. The results of that day's meeting virtually closed the canvass in that county. In many portions of the county republicans were compelled to disband their organizations, their clubs.

REPUBLICANS COMPELLED TO DISBAND THEIR CLUBS.

Q. How compelled?—A. Well, sir, the means employed were various. In the first place, there was considerable riding through the county, killing and shooting, and conduct of that sort immediately following the Clinton riot. The result of that was the driving to Jackson of from three to five hundred refugees within ten days.

REPUBLICAN REFUGEES IN JACKSON.

Q. Colored men?—A. Colored men. We quartered them in the court-house and upon the lawn adjoining it, and in various ways; and of course they came there without money and without anything to eat, and we had to supply them the best we could from our own private purses. They lingered along there in the city for several days. Sometimes a few of them would venture home on democratic promises, and would be driven back, according to their statements, which I have no doubt were true.

MURDER OF BYRAM.

There was one young colored man from Byram, ten miles from Jackson, who proceeded to go home on solicitation of democrats, and he got about half-way home upon the highway and was murdered, and his body shot through several times with large balls.

OTHER VICTIMS—CROPS ABANDONED—COLORED CITIZENS EXILED.

Others fared no better than that; and many who had crops growing in the lower part of the county were afraid to go home and gather them; and some went back into other counties under assumed names, so that they might not be identified, and forfeited their crops at home and went to work elsewhere to make a living.

THE VARIOUS MEANS EMPLOYED TO COMPEL DISBANDMENT OF REPUBLICAN CLUBS.

The means employed to control the colored voters in this matter, to compel them to disband their clubs, as I have said, were varied, but chief among these was the determined purpose, which was apparent from the declarations of the opposite party, to carry the election at any hazard and imperil the lives of men who asserted themselves to be republicans; so that it became absolutely hazardous for a man to reside in that section of the country and let it be known that he was a republican; and for his own safety and for the safety of his family, that he might stay at home and gather his crops, he had to renounce his republicanism and go in with the democrats; and owing to these provocations a great many republicans, as I well know, fearing for their lives and for the safety of their families, joined the democratic clubs in that portion of the State, abandoned their own clubs, and gave in their names to the democratic clubs just to be let alone, because they always promised them if they would do that they would give them protection, but they could have no protection unless they did. That was the feeling. And then the killing of republicans on account of their prominence as republicans, probably, and for their adherence to the party, in the different parts of the county, convinced those who remained that there was absolute danger that their lives would be taken.

REPUBLICAN STRENGTH OF HINDS COUNTY—ITS DEMOCRATIC MAJORITY.

Our county is probably a republican county by not less than two thousand to twenty-five hundred majority. We had been carrying the county by that majority for the past five or six years, and there had been

a large increase of republican voters during the last eighteen months. We were entitled to carry it by that majority last fall, whereas it went democratic by about fifteen hundred majority. A peaceable election would have gained us the county by two thousand at least.

THE REPUBLICAN COMMITTEE PROTESTS AGAINST THE TERRORISM.

The county republican committee, a few days before the election, protested in very severe terms against the violations of the peace-compact, entered into by General George and Governor Ames, by the democrats in the county. That paper was placed in the hands of Mr. Chase, I believe; he may have it. There are also some resolutions, passed at a public meeting in the hall of the house of representatives at Jackson on Saturday before the election on Tuesday, protesting alike against the flagrant violations of the compact and its utter disregard, and the fact that terrorism was so great that men were afraid to go to the polls and vote as they saw fit to; and we well knew that, because we had reports every day, I might say every hour of the day, from different portions of the county; colored men would come in thirty and thirty-five miles to report that condition of affairs, so that it seemed that they could not possibly go to the polls and vote unless they had some sort of protection. We saw that we could do nothing for them but protest against the character of the canvass that was being made against us.

PROTECTION-PASSES GIVEN TO NEGROES BY DEMOCRATS.

Q. Do you know that General George gave colored men who had been driven into Jackson passes to return to their homes—a sort of protection?—A. I don't know, sir, whether General George gave any such passes or not. There were many such passes given. I think that a large majority of those colored men who had been driven, as I have just said, into Jackson after the Clinton riot, and finally returned to their homes, went back on promises to forego their republicanism, and did accept such passes. I have seen a number of them. We printed in the Times one or two such passes as samples of the character of the passes that were being given at the time.

NO SAFETY WITH THEM.

Q. By whom did they purport to be issued?—A. Well, I don't know that they were issued by any special authority. Prominent gentlemen in different localities, whose names were known throughout the county, took the responsibility of giving such passes. In some instances the employers of these men would give them passes of protection to pass them home. They were insecure to go without they were protected, in most instances.

Q. Such passes, so far as you know, were given always by democrats, were they?—A. Yes, sir. A republican pass would not have been worth a great deal.

Q. Have you got a copy of any of those passes with you?—A. No, sir; I have not.

HAS STUDIED THE FINANCES OF MISSISSIPPI.

Q. Did you make the finances of the State of Mississippi and of Hinds County a specialty while you were in that State?—A. Well, sir, I paid considerable attention to the finances for some time. While I was a member of the legislature I was also a member of the committee of ways and means, and required to study the finances pretty closely; and I had also to study them thoroughly in order to be able to write upon them for the papers.

Q. Some witnesses were before the committee while the committee

was in Mississippi, particularly Mr. Barksdale, the editor of the Clarion, who testified in regard to the finances of the State. Mr. Barksdale's testimony tended to show that the finances had been very extravagantly managed by the republican State authorities. I am not certain whether he referred to the finances of the county of Hinds or not; I think he did not. What have you to say, if anything, in regard to the manner in which the finances of the State were managed by the republican officials?—A. Well, sir, I did think, at the time I was a member of the legislature, which was during the years 1872 and 1873, that our taxes were too high. I found, however, that it was almost impossible to get along with less taxes and less money; and we studied economy, I think, with as much earnestness as men well can do under such circumstances.

MISSISSIPPI HAS NO CREDIT ABROAD BECAUSE SHE REPUDIATED HER DEBTS.

Our State had no credit, as you know, at all abroad on account of her repudiation record, and we were wholly dependent upon our people at home to purchase our bonds and to take up our circulating paper, if I may so speak of our State warrants. We had no credit out of the State at all, and we found the State somewhat in debt when we took control in 1870, and we found it necessary to make very heavy disbursements to rebuild the public institutions of the State, and to extend, enlarge, and repair them. We found, to get the means of establishing a thorough system of free education and of spending money on various accounts, that it did not enable us to cut down our taxes but very little at that time.

INCREASE OF TAXES IN MISSISSIPPI, BEFORE AND AFTER THE WAR, LESS THAN IN THE NORTHERN STATES.

Relatively, as compared with taxation before the war, the increase of taxation, say at the close of Governor Ames's administration, and expenditures for public purposes, was not more than one-third in excess of expenditures in 1860; and the study of the finances of the different States of the nation will show that the expenditures throughout the country have increased about 300 per cent. above what they were in 1860. And you may go from the State of Massachusetts to Ohio and Indiana and Illinois, and on West, and almost invariably you will find that is the proportion of increase; but the increase in Mississippi, as I have stated, of Governor Ames's last year's administration as compared with 1860, taking the amount of revenue coming into the treasury, did not exceed the former amount more than one-third; and the last year of our finances in Mississippi was undoubtedly the best of the whole term of republican administration, because they were constantly getting better. Taxes were being reduced, and we thought there was no good ground for complaint on that account.

HOW THE DEMOCRACY HAVE REDUCED THEM.

To show you now just how the democratic legislature found the State finances when they commenced legislation last winter, I remember seeing a joint resolution introduced by a democratic Senator, Chalmers, in which he declared that unless certain compromises could be made of the State debt, the bonds and interest of which amounted to only $500,000, so that a very small installment of that debt should be paid during the current year 1876, they would not be able to reduce the State taxes at all. There had to be a compromise by which $200,000 of the debt falling due this year could be deferred and its payment postponed in order to reduce the taxes at all, showing that they found that the taxes had been reduced to about as low a figure as they could well get along with.

Now, a comparison of the taxes in 1875 levied under Ames and those levied by the democratic legislature of 1876, shows a reduction of not to exceed three and one-half mills; that is my recollection. And then giving us credit for the tax of two mills for schools, which they did not levy this year, that would be actually reducing the taxes for the same purposes only one and one-half mills.

The money accruing under licenses for retailing liquors, and the sale of public lands and the like, becomes available now immediately for the school-fund, whereas under republican administration, before the constitutional amendment was adopted, that became a permanent fund, and we could not use more than the interest, and therefore they have been enabled to reduce taxation on account of schools and at the same time maintain comparatively the same educational fund. The amendment was a republican measure, and passed by them.

Q. They used the principal of the fund instead of the interest, as you used it before this constitutional amendment?—A. Yes, sir; we adopted the constitutional amendment under Ames's administration; in fact, it was introduced in 1873; but it was not presented properly, and had to be voted on again in 1875. That makes available about $200,000, probably, and more than $150,000 of which is on account of liquor-licenses, fines, &c.

NO DEPRECIATION OF PROPERTY OWING TO REPUBLICAN RULE.

I wish to say right here that the assessment of real and personal property, according to the reports of last year, puts the value of both real and personal property at about $127,000,000. Our last assessment was made four years ago, when the property was valued in amount, perhaps, at $148,000,000, showing a pretty large falling off in assessments. I was looking over the reports of the State, of Georgia a few days ago, and I found that in a single year in that State, under democratic administration, there was a falling off in value of real and personal property of $11,000,000; and there has been a general decline in the value, in fact, as well as in the assessment of property throughout the South, regardless of the party in control. The democracy were making quite a point in the canvass last fall by showing that their property had gradually depreciated under republican administration, when it was not at all due to that cause, in my judgment. Property has gone down all over the country.

PUBLIC INSTITUTIONS REPAIRED UNDER REPUBLICAN RULE.

Q. What public institutions were repaired under republican administration in Mississippi or enlarged or improved?—A. Well, sir, we enlarged the lunatic asylum of the State, at a cost of probably $250,000; I think it was about that. Considerable money was spent on the State penitentiary; about seventy-five or eighty thousand dollars upon the State capitol; and the institution for the deaf and dumb was purchased at an expense, I think, of about $50,000; repairs to the amount of about $40,000 were made on the governor's mansion; and there were some repairs on the blind institute and others that I do not remember, probably aggregating altogether in the neighborhood of half a million of dollars or more.

NORMAL SCHOOLS AND EDUCATIONAL EXPENSES.

Q. Any normal schools built or repaired?—A. There was normal-school property purchased; I do not remember now at just what expense; and these schools have been maintained down to the present day; a very good class, too. We have been expending in Mississippi about six hundred thousand dollars a year—between five and six hundred thou-

sand dollars—for educational purposes, and with very marked results. In fact, that has been the great burden of our taxation; yet we did not feel that we could do without schools for four or five months every year; and we had to get every dollar of money by taxation upon property, having no great corporations and companies as they have in the North, and no mineral and other resources of that sort, and no railroads. In fact, no railroad tax was imposed in the State at all in 1875, I believe, so that taxes have fallen pretty heavily upon property in the State necessarily.

RATE OF TAXATION FOR THE STATE.

Q. What has been the rate of taxation upon the assessed value?—A. The rate of taxation has run all the way from six mills on the dollar to eleven, I think.

THE LAW LIMITED THE RATE OF TAXATION IN COUNTIES.

Q. That was for State purposes?—A. Yes, sir; but at the time that this highest tax of eleven mills was imposed there was a general law limiting the taxation in the counties to twenty-five mills, or 2½ per cent., so that the State tax and county tax added together would not exceed 2½ per cent. And later, in 1874, I believe, or possibly not until 1875, the law was so amended as to limit the taxation to twenty mills, or two per cent.

MISSISSIPPI TAXATION AS COMPARED WITH OTHER STATES.

Q. For all purposes?—A. For all purposes. A comparison of the taxes in Mississippi for 1875 with any other States in the Union will show that our taxes were comparatively moderate. I have examined that subject, and I know whereof I speak.

AS COMPARED WITH OTHER SOUTHERN STATES.

Q. How about the rate of taxation in Mississippi compared with the rate of taxation in other Southern States?—A. It is relatively the same as in the State of Alabama, and I think about the same or probably a little larger than in the State of Tennessee. I am not sure as to Georgia, but I am inclined to think that their taxes there for State and local purposes were about 2½ per cent. That is my recollection. It must be remembered that while these rates of taxation seem high comparatively, the assessments were comparatively low, because as taxes went up assessments went down. If a man was paying five mills on his land valued at ten dollars and the tax was put up to nine mills, he would put the value down to about five or six dollars.

VALUATION LOWER THAN CASH VALUE OF PROPERTY.

Q. Then, as a matter of fact, the valuation was lower than the actual cash-value of the property?—A. O, yes, sir; I believe that is true throughout the country, and it is particularly true there. The amount of money derived or realized to the State was, I know, but very little greater when the taxes were highest than when they were low, because assessments went down.

Q. You may state, captain, any other matters within your personal knowledge which, in your opinion, are pertinent to the investigation being made by this committee.—A. I do not think of anything specially.

FIFTY MURDERS AFTER THE CLINTON RIOT.

By Mr. McMILLAN:

Q. In speaking of the causes which led to the intimidation of the colored voters, after the Clinton riot, you mentioned the fact of murders being committed in Hinds County within about ten days after the occurrence.—A. Yes, sir.

Q. About what number of murders were committed and over what extent of territory did they extend?—A. Well, sir, we never were able to ascertain definitely the number of persons killed in Hinds County following the riot. The town of Jackson was full of refugees, as I have told you, and they were bringing in accounts of men being killed, here and there, and of men being wounded; but although we used our best efforts to ascertain definitely the number we failed. I have seen the number variously estimated. My own opinion is that it may be put at 50 killed, although it may not be as many.

A DEMOCRAT ESTIMATES FROM THIRTY TO FORTY.

I have seen an extract published in the Forest Register, taken from a letter that was written to Forest, Miss., a few days after the Clinton riot, by a democratic citizen to a friend of his residing at Forest. My recollection of it is that in this letter he states that there were about thirty or forty negroes killed, and comparatively few of them remained within ten miles of there. I do not think it will ever be known how many persons were killed as the result of the Clinton riot.

DEMOCRATIC NEWSPAPER THREATS BEFORE ELECTION.

Q. You referred to the utterances published in a paper at Jackson, a democratic paper there, at the opening of the campaign, and to the effect that the campaign was to be conducted in such a manner that the democrats should carry the election at all hazards: were there other utterances of a like kind in different papers throughout the State that you know of?—A. Yes, sir; those things were very common in Mississippi about that time.

Q. Well, state generally their extent and their character.—A. Well, sir, for example, I remember distinctly clipping an extract from the Yazoo Democrat in which it announced that they would carry the election "peaceably if they could, and forcibly if they must," meaning that they would at any rate carry the election. There were very many democratic papers that expressed sentiments similar to that. Some of them adopted exactly the words of the Democrat, while others reiterated the same sentiments in other forms.

We were very well satisfied (I mean the republicans of Mississippi) some time before the election took place that the democracy had indeed determined to carry the State regardless of the means that might be required or the results that would follow; that was patent upon various accounts. I might offer in this connection a number of newspaper paragraphs which I compiled from the current democratic literature at home, and published in our paper, as going to show the spirit of the democracy at that time, the character of this organization, and its purpose, if the committee cares to receive them.

Q. Have you got them there?—A. Yes, sir; I have them right here. I can vouch for them because I prepared them myself, and I know that they are properly credited to those several papers. These extracts show two things quite palpably; in the first place, that the white-line organization of the democracy was very general throughout Mississippi; and, in the second place, that they had determined to resort, as I have said, to any means that might be necessary to secure their success. I can present the extracts here to the reporter if you desire it.

By Mr. BAYARD:

Q. Is not that a copy of Mr. Morton's speech that you have there?—A. Yes, sir.

Q. Didn't you furnish these extracts to him?—A. I furnished some of them.

By Mr. McMILLAN:

Q. The extracts that you have compiled yourself you can put in.—A. Yes, sir.*

STATE DEBT OF MISSISSIPPI.

Q. You have spoken of the debt of Mississippi; what do you say the State debt was?—A. The total debt of Mississippi at the close of the fiscal year 1875 was about $500,000.

Q. Was any portion of that debt contracted by the State prior to the war, the interest being paid now?—A. Not of this that I have spoken of; there was, however, a small indebtedness upon the part of the State when the republican party took control, the result of the democratic administration immediately following the war, which, I think, amounted to about one hundred and seventy-five or two hundred thousand dollars in outstanding State warrants, which there was no money in the treasury to pay.

The total debt of the State would have been discharged, I think, and the State would have been out of debt under a republican administration, certainly within three years. We were very rapidly getting rid of our debt and getting the State in a better financial condition than she had been for many years. And I must say here, that at no time since the close of the war were the State warrants so nearly at par as they were during last fall while this political campaign was going on. They were selling then in the State at upward of ninety cents on the dollar, whereas the average rate since the war has been from sixty-five to seventy-five cents.

Q. Is the indebtedness arising out of the Chickasaw school-fund about a million and a half or something of that kind?—A. Yes, sir; the indebtedness on account of the Chickasaw school-fund is about $850,000. That indebtedness was the result of a loan of school-moneys to the several railways in the State which was never repaid, neither principal nor interest, and the State owes that accrued debt or interest on that amount to the Chickasaw counties, which amounts to in the neigborhood of $50,000 a year.

Q. That has to be raised by direct tax?—A. By direct tax upon all the property of the people of the State.

COUNTY TAXES IN THE RIVER COUNTIES—THE LEVEE TAXES.

By Mr. BAYARD:

Q. Do you know anything of the county taxes in the river counties?—A. I do not know anything of taxes in the river counties further than would be embraced under this general law limiting taxation in all counties of the State to twenty-five mills, or 2½ per cent. on the dollar, in the first place, and latterly to 2 per cent. They are, however, in the river counties permitted to levy a local tax for levee purposes; then, besides this they are permitted also to levy a tax for county improvements, building court-houses and the like.

Q. You spoke of there being a limitation upon the tax at one time of 2½ per cent. *ad valorem*, and then again reducing that to 2: do you mean to say by that that there was no additional tax, beyond the 2 per cent., levied upon the cotton, for instance, at the landings; what is called a levee-tax? State your knowledge as to the tax and its extent.—A. I don't now remember the character of the legislation relating to the levee-tax. It is a tax peculiar to the Mississippi bottom and the counties subject to inundation and overflow by the Mis-

* These extracts will be found in the "Documentary Evidence," Part IX.

sissippi River, and it is generally controlled by levee boards. They get special legislation for those counties, and under that special legislation they levy additional taxes for levee purposes; but not residing in a levee county, I do not know just what these taxes have been.

Q. You did not mean to include in your testimony the tax of what you might call the river counties, where a levee tax is raised?—A. The limit would not apply in those counties, as I understood it, to the levee tax.

Q. Have you any knowledge of the fact that a tax amounting to a cent and a half to a pound is imposed upon cotton?—A. I have no knowledge of that fact. I believe it is, however.

Q. I had rather get your knowledge, and then state any explanation you have afterward.—A. Yes, sir.

Q. Have you any knowledge at all of the levee taxes levied upon the river counties in addition to those you have spoken of here?—A. Not as regards the amount of tax levied or the rate of taxation for levee purposes.

PERSONAL STATEMENTS AND RECORD.

Q. How long have you been in Washington?—A. I have been here since last December, except about two months.

Q. What has been your occupation since you have been here?—A. I have been engaged in writing for The Republic magazine, most of the time.

Q. Do you hold any public office?—A. No, sir.

Q. Since you have been in Mississippi have you held any public offices?—A. Yes, sir.

Q. State what they were.—A. I held, in the first place, the appointment of registrar of voters.

Q. What year was that?—A. In 1867. Then I was deputy collector of internal revenue about eight months; and I was elected to the legislature one term.

Q. Give the date of that.—A. 1871 and 1872. Previous to that I had been elected State printer.

Q. Were you State printer at the time you were in the legislature?—A. No, sir; I had been elected State printer in 1870.

Q. How long did you hold that office?—A. I held the office a few months, when I sold out to Messrs. Kimball and Raymond.

Q. When you were elected State printer had you any newspaper?—A. Yes, sir.

Q. What?—A. We owned the printing-house and the office.

Q. What paper was that?—A. The Pilot.

Q. Published where?—A. Published at Jackson, Mississippi.

Q. Who were your partners?—A. Mr. Kimball was one of my partners; was my partner at that time.

Q. Your sole partner?—A. He was my sole partner in 1870 when I sold out; my former partner had been General Stafford.

Q. When you sold out, to whom did you sell?—A. Kimball, Raymond & Company.

Q. Mr. Raymond has continued as State printer since, has he not?—A. Yes, sir.

Q. He is the proprietor of the Jackson Times?—A. No, sir; the Jackson Pilot.

Q. When you sold out your paper, did you sell out your interest in the right of public printing?—A. Yes, sir; sold all the right and interest I had in it, and then I established the Educational Journal, and I published it about a year, and then was appointed State printer again—

Robert J. Alcorn and myself were appointed State printers—and I disposed of the Educational Journal to the superintendent of education, and became one of the proprietors and editors of the State Leader.

Q. You were, as I understand, the State printer for about two months, first, in 1870, and then you sold out at the end of two months?—A. Yes, sir.

Q. How long was that term of office which you so disposed of?—A. That term of office, probably, was about two years; but when I sold it the firm to whom I sold it was appointed State printer. That appointment was not a valid one under the constitution, and finding it invalid, a year later, Governor Alcorn appointed Judge Alcorn and myself State printers.

Q. Is that Robert J. Alcorn?—A. Yes, sir.

Q. The one who is receiver of public moneys?—A. Yes, sir.

Q. Did the firm to whom you assigned this State printing have the business until your second term?—A. Yes, sir; and afterwards.

Q. When you got it the second time, for what term was that?—A. We were appointed, I think, in June, 1871, and continued State printers until about February, 1872, when there was an election, and the Pilot, known as the radical organ there—we were running a rather liberal and conservative republican paper—was elected, by a combination of democratic members and republicans, State printer, and upon that we discontinued the Leader.

Q. Did you have anything to do with the State printing after that?—A. No, sir; I did not.

Q. Then your connection with the State printing ran from what time to what time—either you or your assignees?—A. Properly from March, 1870, to February, 1872; I had nothing to do with the State printing after that.

Q. I observe you say "properly;" what do you mean otherwise than that?—A. Your question somewhat confused me, because I had been State printer only two months, and then I sold out, and that sale contemplated the term of two years provided the appointment was good; but it was found not to be good; and Governor Alcorn removed Kimball and Raymond and appointed Judge Alcorn and myself State printers. We then served out the balance of the term, and at the next election Kimball and Raymond were elected, as I have stated, by a combination of republicans and democrats.

Q. And they have continued from that time out?—A. They have continued under one subsequent election, the term running two years.

Q. Have you had anything to do with the State printing since the spring of 1872, directly or indirectly?—A. No, sir; I have neither directly nor indirectly had anything to do with it, only as a member of the legislature trying to cut it down.

Q. What positions did you hold other than you have spoken of?—A. I have held no other offices, in the State or out, during that time.

Q. Then from the spring of 1872 until you came to Washington this year, your occupation was connection with the press as newspaper editor?—A. Yes, sir; entirely. During one year I was editing the Akron (Ohio) Daily Beacon—during 1874.

Q. Did you go up there to edit it?—A. Yes, sir; I determined to remove from the State in 1873, not thinking it a good field for advancement in my profession, and went up there and took charge of that paper and edited it; but my friends solicited me to return to Mississippi in the spring of 1874, and I consented to do so, and had editorial charge of the Jackson Daily Times. They contemplated the starting of

a daily paper at Jackson, Miss., and then wanted me to assist in its editorial control, and I consented to do so, and during last year was employed as editor of the Jackson Daily Times.

Q. Was that paper a supporter of the administration of Governor Ames?—A. No, sir; it was not directly. The principal proprietor was not friendly; that was Captain Lake.

Q. Captain Lake is United States marshal, is he not?—A. Yes, sir.

Q Was he your copartner in the paper?—A. Yes, sir; in the editorial work.

Q. Do you maintain your interest in the paper still?—A. No, sir; I have no interest in the paper. The paper in its policy was opposed to Governor Ames only in some things; but it came to his support pretty thoroughly after the Clinton riot and during his later troubles.

SENATOR MORTON'S SPEECH, AND WHO HELPED TO COMPILE THE EXTRACTS IN IT.

Q. I observe, in reply to a question put to you, first in respect to the Clinton riot and next in regard to certain questions in reference to the taxation of the State, that you consulted a pamphlet; have you it?—A. Yes, sir. [Witness hands pamphlet to Senator Bayard.]

Q. This purports to be a speech delivered by Mr. Morton in the United States Senate in January, 1876?—A. Yes, sir.

Q. I suppose when you read the extract from the Raymond Gazette you obtained it from that speech?—A. Yes, sir.

Q. And you looked for information in regard to the taxation of the State to the statements in that speech?—A. Yes, sir.

Q. You read your testimony from what you found there?—A. I refreshed my recollection on a few points from what I found there.

Q. Did you or did you not read from that speech when you gave your answer?—A. I did, sir.

Q. Did you or did you not read from that speech when you were questioned in regard to the proceedings of the Clinton riot, and the number of persons killed at that time?—A. No, sir; I did not. I endeavored to find a paragraph taken from the Forest Register, in which it stated the number killed at Clinton—the Forest Register is a democratic paper—but I do not find the paragraph.

Q. Did you, as a matter of fact, make that political compilation in there from the democratic press of Mississippi?—A. I assisted in that compilation.

Q. Who assisted you?—A. Well, sir, there were extracts furnished by different gentlemen.

Q. Name those parties.—A. Judge Alcorn assisted in a portion of the compilation.

Q. That is Mr. Robert J. Alcorn?—A. Yes, sir.

Q. Where did you prepare them? Where were you at that time?—A. I was in this city.

Q. Were they prepared in this city?—A. O, yes, sir.

Q. To whom did you furnish them?—A. Well, sir, they were furnished to Senator Morton.

Q. At his request?—A. I was requested to furnish to Senator Morton all the evidence that I could obtain showing the character of the election and of the canvass in Mississippi last fall. I told him that I should be very glad to do that, and that I might be able to furnish some extracts showing the temper of the press, which he said he would be very glad to receive. And I proceeded to do so; and a portion of what you see here is the result of that labor.

Q. Did you see him personally and furnish these to him at his request?—A. Yes, sir; I did.

WITNESS WAS A DEMOCRAT WHEN HE WENT TO MISSISSIPPI.

Q. I understood you to state that when you first went to Mississippi you were in affiliation with the democratic party.—A. Yes, sir; I did.

Q. And that you aided in opposition to the reconstruction policy of Congress.—A. No, sir; we had a very strong reconstruction party in the democratic ranks at that time, which was made up of such gentlemen as Ex-Governor A. G. Brown, Mr. Barksdale, and Ex-United States Senator Walter Brook, John W. C. Watson, and some of the best minds in the State. They all supported reconstruction heartily as being the best thing that the South could do, and probably the best policy altogether for the South; and at one time the democratic party might have been regarded as being equally divided between the adherents of the reconstruction scheme and the opponents of it.

OHIO TOOK THE STARCH OUT OF OUR WING.

Q. With which wing did you act?—A. I was with the reconstruction wing, sir; but the Ohio election took the starch entirely out of our wing. Ohio declared by about 100,000 majority against negro suffrage, and all my friends concluded that the North was going democratic the next fall, certain. That was in 1867, and after that time we had comparatively few democrats in the State who supported reconstruction.

REPUBLICAN SINCE 1868.

Q. What was the date of your allying yourself with the republican party?—A. Well, sir, I suppose I may say the spring of 1868. It was before the campaign and election of that year.

Q. Since you went into the republican party have you tried to defend its doctrines?—A. I have, with as much earnestness and devotion as I could command.

Q. Were you a member of the constitutional convention?—A. No, sir; I was present in the city at the time, and a portion of the time was editing the Jackson Pilot, a newspaper we then established.

Q. Where did you publish this Educational Journal?—A. At Jackson, Miss.

Q. During what time?—A. During the summer and fall of 1871.

Q. This gave you a knowledge of the schools of the county?—A. Yes, sir; and of the State.

NUMBER OF SCHOOLS IN HINDS COUNTY.

Q. State, if you can, the number of public schools in Hinds County.—A. I think they have been maintaining in the neighborhood of 125 schools in Hinds County, white and colored. The number has varied, but it has probably been as high as that at some time.

Q. What proportion of them are colored, and what proportion white?—A. Probably three-fifths; the number of colored pupils may be relatively the same as adults in the county, which would make altogether more than three-fifths—no, probably not, either. I never have given that particular thought.

Q. There are separate schools, are there not?—A. Yes, sir; there is no law providing for separate schools in Mississippi, but by common consent we kept them separate. We thought it much better policy to do that, and the colored people preferred it.

Q. Can you state the proportionate number of white and black schools in the county?—A. Say three colored schools to two white, or three to five. Our county is largely colored.

ABOUT CARDOZO AND HIS ALLEGED FORGERIES AND DEFALCATIONS.

Q. Do you know Mr. Cardozo, superintendent of education?—A. Yes, sir; I know him.

Q. How long have you known him?—A. I have known him, sir, ever since about '72, I think.

Q. What office did he hold before he was superintendent of education in the State?—A. He was clerk of the circuit court in Warren County.

Q. Do you know the amount of the forgeries committed by him as clerk before becoming superintendent of education?—A. No, sir; I do not. I have heard there were such forgeries, and probably some official figures had been given, although I do not now remember the amount. I have heard that it was a considerable amount.

Q. As editor of a public newspaper, didn't this public fact come under your special observation?—A. It was not a matter of public discussion while I was editing the paper there in 1875.

Q. Was he indicted for those forgeries as county clerk?—A. He was indicted, and he had a trial, I believe, during the month of June or July, 1875. He was not found guilty.

Q. Was he not under many indictments for forgeries committed while county clerk, when he was nominated for the office of superintendent of education?—A. No, sir, he was not; the indictments were made subsequently.

Q. You don't know the amount of money that was lost to the treasury by the alleged forgeries?—A. No, sir; I think it has never been determined. It is a matter that is under investigation in the courts in Warren County, and I think it has never been fully determined so as to know exactly.

Q. Do you know whether there is a defalcation on his part, and what amount it is, as superintendent of State education, from the school-fund of the State?—A. I never heard it alleged that he was a defaulter to the educational fund of the State. He has no control over that fund in any way.

Q. Perhaps I make an error in stating that fund; but an official defalcation by him of the public moneys.—A. I heard that he was in arrears for a portion of the fund due the normal school at Tugaloo Station, probably fifteen hundred dollars, or thereabouts. I heard that report last summer. I have never seen any official statement upon the subject, and I don't know that it has ever been officially investigated by the legislature or any other competent authority.

Q. Do you know the clerk of the circuit court at Vicksburgh, a man by the name of Davenport?—A. Yes, sir; I know him.

Q. Are you personally acquainted with him?—A. Yes, sir.

Q. Do you know the amount of forgeries, committed by him while he was county clerk, of county warrants?—A. No, sir; I do not.

Q. Did you never, as a journalist, make publication of the facts connected with his forgery?—A. The developments, the original charges concerning his case, were made while I was not engaged on the press in the State, and there were no comments made subsequently, as the matter was before the courts for judicial investigation, and we did not care to comment upon it.

Q. You never published that in your paper?—A. No, sir.

Q. Did you ever publish these things against Cardozo in your paper?—A. They were published by Captain Lake against him when the paper was established at Vicksburgh; but it was removed to Jackson when I became connected with it.

Q. What was the name of the paper conducted by Cardozo?—A. Indeed, I have forgotten the name.

Q. It was published in your town, was it not?—A. No, sir; it was published at Vicksburgh.

Q. It was published in 1875?—A. Yes, sir; I remember now, it was called the Plaindealer.

ABOUT CAPT. O. S. LEE.

Q. When was the defalcation of Capt. O. S. Lee discovered in Holmes County?—A. I think it was discovered about three months ago, but while I was here.

Q. Not until 1876?—A. No, sir; I believe not. There was no discovery of it made while I was in Jackson.

THE DEMOCRATIC PLATFORM IN 1868.

Q. You read one resolution of the platform of the democratic party in 1868; look again, and see whether that resolution was a part of the entire platform.—A. Yes, sir; it was the last resolution of the platform of that year.

Q. The rest that accompanies that are as much a declaration of the principles of the democratic party as the part which you read?—A. Yes, sir; I suppose so.

THE CLINTON RIOT.

Q. Then I wish you would hand them to the reporter and incorporate them in the testimony. You were at the Clinton riot, I believe?—A. Yes, sir. [See documentary evidence.]

Q. Was your speech interrupted by the shooting or disturbance that occurred, or were you interrupted by remarks made?—A. I do not know that any remarks were made to me; if there were I did not hear them.

Q. We have had a great deal of testimony about the Clinton affair, and the witnesses were not certain, when you were speaking, whether you heard these interruptions noticed by men standing by, and I thought I would ask you whether you heard them or not.—A. I heard, subsequently to the riot, when I got home, that such expressions had been made in regard to portions of my speech, or as having reference to myself; but I did not hear them, and if I had heard them I should not likely have paid any attention to them.

CITIZENS FROM RAYMOND THERE.

Q. Did you see any persons from Raymond there whom you knew?—A. Yes, sir; I saw Captain Ratcliff, of whom I have spoken, and Major Harper, editor of the Gazette, and several others whose names I do not remember.

Q. Were those gentlemen of good character and bearing?—A. Yes, sir.

Q. Were they at all connected with the disturbance?—A. I do not know, but think not.

Q. How many men did you see from Raymond who were connected with the affray; I mean participants in it?—A. I cannot tell you, because when the firing became general, and it was not particularly desirable to stay there, we all got away as soon as we could; and going over to the city, to the town of Clinton, I came up with some of the Raymond gentlemen, and I remember particularly Captain Ratcliff, because I asked him if he would not assist me in attempting to preserve the peace in Clinton, and to prevent the riot from extending to that place; and he said he had not anticipated anything of the sort, and expressed very deep regret, and I think he felt it all; and there was a Mr. Hughes,

who resides near Clinton, a very peaceable, well-disposed gentleman, also a democrat, who expressed great surprise.

INVESTIGATION OF THE RIOT.

Q. I understand that you sought, after that affray, to learn the particulars of what followed it—of the violence that followed it.—A. Yes, sir; we were anxious in our inquiries, as far as they could be extended safely, to get just what did follow the disturbance.

Q. Now let me ask you, will you now give to this committee the names of the persons who were killed—I do not mean on the day of the riot; that has been stated several times—but I mean especially those who were killed subsequently to the riot?—A. Well, I cannot give you the names of but a few of them, because they were not personally known to me, and I have not the names with me.

Q. How long did your search continue diligently to obtain the names and the particulars?—A. I made particular inquiry of the refugees who were in town, and thought possibly that that would be my best opportunity to get the extent of the loss of life; and I would go to them and inquire if they knew of any one being killed in a particular locality. They might answer me, So and so, and that another person was wounded, and so on. Well, I took a number of the names, and I intended to get up a complete list, or as fully complete as possible, for publication; but I found that with all my inquiries I could not ascertain anything like the truth. There were conflicting opinions among themselves; some would report a man killed, and others would report him as only wounded, and I did not care to make a statement unless it could be thoroughly authenticated; so I desisted from the publication.

MR. HAFFA AND OLD JOE STEVENS AND HIS SON MURDERED.

Q. Did you ever make, or were you ever able to make, an authentic statement of the names of the persons that were killed subsequently to the riot?—A. No, sir; I remember the names of two persons particularly, in the lower part of the county, Squire Haffa and a colored man by the name of Stevens—old Joe Stevens, as we always called him, who was a very efficient sort of a republican down there, and used to do a good deal of riding about and getting up meetings, and so on. He was killed, and his son also.

Q. When did his death occur?—A. It occurred on the Monday after the Clinton riot, which was on Saturday.

Q. Do you know who killed him?—A. No, sir; I have heard that some parties in that neighborhood killed him.

THE REPUBLICAN SECRETARY AT BYRAM ASSASSINATED.

Q. You spoke of a man killed on the highway?—A. I don't remember his name. He was the secretary of the republican club at Byram, Miss., ten miles below Jackson.

Q. Do you know who shot him?—A. No, sir; we didn't know who killed him, but we found his body lying on the highway in the morning, shot through with several balls.

Q. You don't know the circumstances of his death?—A. No, sir.

Q. You spoke of riding and killing and shooting?—A. Yes, sir.

Q. As following the Clinton affray?—A. Yes, sir.

Q. Have you any knowledge of that personally, or is your knowledge hearsay?—A. My knowledge is derived from the refugees who came to town—the result of that sort of doing—and from other sources of information that may not be regarded as reliable.

Q. You have stated in your testimony that there were prominent re-

publicans killed, and I want you now to give their names.—A. I do not think I ever used that word.

Q. I took it from you, and I put the question again: can you give the names of the prominent republicans who were killed? If you didn't mean to say so, you may just correct your statement. If there were prominent republicans killed give their names—I mean after the Clinton riot.—A. I do not think I used the word prominent, but if I made such a reference I referred to the prominent local politicians in the county. They killed this secretary of the Byram club, who was also a teacher in a Sunday-school down there and quite a prominent young man.

Q. I ask you to give the names of the persons who were killed there, and who were members of the republican party, after that riot.—A. If I had a copy of our paper which was printed a few days after the killing I could furnish you with the names of a number.

By Mr. CAMERON:

Q. It can be got here, can it not?—A. No, sir; it is not on file in the city, that I know of.

ABOUT THE PROTECTION PASSES.

By Mr. BAYARD:

Q. Was that furnished to Mr. Morton at all with the other matter that you gave him?—A. It was, I believe; but there was too much matter and he could not use it all.

Q. You were asked whether you knew anything of passes given by General George, the chairman of the democratic executive committee, to citizens of that State: what was your reply to that?—A. I stated that I did not know that General George had given any such passes, but that there were passes of that kind given by different persons—democrats—to colored men to guarantee them safety to their homes.

Q. State the character, and by whom signed, of any that you saw?—A. I remember the general character to be about like this: Pass the bearer (giving the name) to a certain plantation.

Q. Signed by whom, and addressed to whom?—A. It was a general pass signed probably by some democratic citizen.

Q. Give the name of some prominent democratic citizen who signed a pass, that you know of?—A. I do not remember the name of any one; but, as I have said, I printed one in the Jackson Times. I have not charged my memory with those names at all, because I did not expect to be examined on them.

Q. Did you print the name of the person who signed it?—A. Yes, sir; the pass in full was printed.

Q. To whom were those passes addressed?—A. To no particular person.

Q. How many did you ever see?—A. I remember seeing probably half a dozen in the hands of different refugees, and I understood that a great many of them had taken such passes before returning home.

ABOUT THE WHITE-LINE LEAGUE.

Q. On page 16 of Mr. Morton's speech I find one of these extracts, headed "An oath-bound White-Line league; from the Columbus Index." Do you know the editor of that paper?—A. I do not know him personally. I remember distinctly of clipping that extract from the Columbus Index.

Q. [Reading:]

A color-line club has organized in Columbus, of which we are proud to announce

ourself a member. It is secret in its nature, but its principles are such that even the conservative editor of the Independent could conscientiously subscribe to them. The club has a large number of members, which is rapidly increasing.

Are you aware of the fact that a secret society was gotten up called the "Gyascutus," and that its secrecy was a secrecy of absurdity; did you know that fact?—A. I never knew that there was any such society in Mississippi; but if I were to interpret that particular paragraph with many others that appeared in the Index about that time, I should conclude there was absolutely a White-Line association of the kind he describes.

Q. Interpreting it by his own statement there?—A. Yes, sir; and by these many positive white-line declarations.

Q. My reason for asking the question was that, as an editor, I thought probably you would know the editor.—A. I have seen the editor, but I am not personally acquainted with him.

Q. This was cut out of a paper and read in the Senate for the purpose of proving the existence of a society of an improper character, and I want now to ask you whether you happen to know that that society was really one of those, of what I should call an absurd association called by the name which I gave: as the editor told me the thing was a farce, I thought possibly that you might have known that it was, and have heard of it. —A. No, sir; I do not know anything about that. There were secret white-line societies in the State.

Q. Is the Independent referred to in the extract a democratic or independent paper?—A. It is about "'alf and 'alf," as the Englishman says.

Q. Were you in Mississippi at the election of 1875, and prior to 1875? —A. Yes, sir.

Q. At Jackson?—A. Yes, sir.

A "FEARFULLY QUIET" ELECTION.

Q. What was the character of the election on that day?—A. It was a very quiet day in Jackson—fearfully quiet.

Q. Was there a full vote polled?—A. No, sir; there was not a full vote polled; it was comparatively full, however.

Q. Did you see personally any act of violence that day by any one?— A. I did not.

Q. Did you personally see any act of intimidation?—A. There was no intimidation open or apparent, but there was a great deal in the atmosphere.

INTIMIDATION PRIOR TO THE ELECTION.

Q. Did you personally see any act of intimidation?—A. I did not; yet there was a great deal of it indirectly apparent. The intimidation really that existed was prior to the election altogether. It gathered its force before the election and continued to have its effect upon the voters until after that time. There were all sorts of things brought to bear upon the voters, such as declaring that they should not be permitted to live upon certain plantations, or in certain communities, if they should vote the republican ticket; and there were threats of cutting off their supplies both upon the plantations and by the merchants, and other threats equally alarming.

Q. Are these facts of your own knowledge?—A. Well, sir, I received them from colored men who came to me with their complaints, and told me what they had to bear, and seeking my advice. I fully believe them to be true.

Q. That was the way in which you obtained this knowledge?—A.

Yes, sir; that is one way. I also saw a great many declarations of that kind in the newspapers of the State, publishing resolutions adopted by democratic clubs that they would not employ colored men who voted the republican ticket, and that they should not have any employment or be permitted to live or locate in their several counties. The Hinds County Gazette cordially indorsed that policy.

Q. What policy?—A. The idea that only those who voted the democratic ticket should be taken care of and given employment.

Q. Were you aware that the extract from the Raymond Gazette which you read and incorporated in your testimony had been presented before and read it to the committee?—A. I did not know it.

Q. You read that from Mr. Morton's speech?—A. I read that from Mr. Morton's speech. It is literally correct, as I know.

W. A. MONTGOMERY—HINDS COUNTY.

WASHINGTON, D. C., *July* 13, 1876.

WILLIAM A. MONTGOMERY sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. At Edwards, Hinds County, Mississippi.

Q. What is your occupation?—A. I am a farmer just now; a lawyer by profession.

Q. Are you a native of Mississippi?—A. Yes, sir; I am a native Mississippian.

Q. How long have you lived in Edwards, or in that neighborhood?—A. Since I was a boy.

Q. Were you there in 1875?—A. Yes, sir.

Q. Did you take any part in the political canvass of that year?—A. Yes, sir.

Q. On what side?—A. The democratic side.

A VERY EXCITING CANVASS—AN EDITORIAL RECOMMENDATION.

Q. What was the character of that canvass—I mean its character as to peace and good order?—A. Well, sir, we had a very exciting canvass, and in the county we had one riot.

Q. A political riot?—A. Yes, sir.

Q. An extract from a democratic newspaper published at Raymond has been read and referred to more than once during the investigation, in which the suggestion was made that a committee should be appointed by the democrats, who were to attend the republican meetings, and when anything was said there that they disapproved of, that they were to interrupt the speaker; and I think the further suggestion was that it should be done for the purpose of disturbance, and for breaking up the meeting. That was about the recommendation of the article.—A. No such advice as that was ever acted upon by the clubs in Hinds County. That was a recommendation of the editor of that paper, but no such thing was ever done.

Q. Was any such a course of proceedings approved of by the democrats of that county, or that State, as far as you know?—A. Not as far as I know.

THE CLINTON MEETING.

Q. Were you at the Clinton meeting?—A. I was at the Clinton meet-

ing, and up to the time that the fighting commenced everything seemed to go quietly and orderly.

Q. State the circumstances of your going to that meeting.—A. I was at Edwards on the morning of that meeting, and Mr. Dabney, who was running for the legislature, received a telegram from the county executive committee to go to Clinton and meet Governor Ames, Fisher, and some other speakers in debate. Mr. Dabney had an appointment at Utica, and sent for me to take his place. Upon this request of Mr. Dabney I took the train for Clinton. This was the first time that the republicans had agreed to divide time with us, but on this occasion they did divide time.

I found that Captain Fisher was to speak on the side of the republicans, and Mr. Amos R. Johnston on the democratic side. I knew that there was no use of my being there, as I would not get a chance to speak, and I soon retired from the meeting, because there were only a few white people there—from twenty to twenty-five—and I went to Mr. Chilton's, the man who was killed that day, and took dinner.

We had a cold lunch that day for dinner, because his cook was at the barbecue, and he had sent a quantity of provisions down there himself.

THE WHIRR OF PISTOL-SHOTS.

Immediately after dinner, it then being about time for the train to come along which I intended to take back to Edwards, I started for the depot, and when I had got about ten steps I heard a pistol fired, and before I could count five I suppose I heard a dozen, w-h-r! w-h-r! w-h-r! I had counted 800 negroes on horseback, and knowing that most of them had arms I became considerably excited. The sheriff of the county was standing right by me.

TALK WITH THE BLACK SHERIFF.

Q. What was his name?—A. W. H. Harney.

Q. A republican sheriff?—A. Yes, sir.

Q. White or black man?—A. A black man. I thought I would commence with him by taking his pistol away from him; but I had come up on the train with him that morning and I had been talking to him. I had always formed a good opinion of him, and he had the good will of the neighborhood. I told him that he ought to exert all his influence for good and try to quiet the excitement that was among the negroes at the time, and that he ought to stop them from arming themselves and going to these places of meeting armed. Well, he said he was unaware of the arming. I said, "Well, now, Mr. Harney, I will venture to say that there are twenty-five blacks in this train and I am the only white man, and I will venture to say that there are twenty-four pistols in the crowd; and upon examination we found over two-thirds of the blacks had pistols. I showed him that I had no arms of any kind, and I told him that I represented, I thought, the feeling of the white people of that country—that they desired no difficulty with the black race; and went on to state to him why.

I told him that even if we had an ill-feeling for the negro—which no southerner raised with them could ever have—our interest at that time was too great to allow our excitement from politics to get the advantage of us; that every dollar we had in the world was invested right in the cotton, and that we had advanced rations to them—meat and bread and everything that the negroes had lived upon up to that season of the year, and that we wanted to have the election pass off quietly.

WHETHER WHITES OR BLACKS SHOULD PREPONDERATE THE ONLY ISSUE AT THE LAST ELECTION.

I suppose you know in that country at the last election the only issue in the election was whether the whites or the blacks should predominate; there was no other politics that I could see in it. Men that had been republicans all their lives just laid aside republicanism and said that they had to go into the ranks then.

Well, I was going on to say that I thought of commencing by taking away the sheriff's pistol right there, thinking that he might turn on me; but he and I had had this talk, and I did not do it.

WITNESS BREAKS INTO A STORE, GETS A GUN, AND STARTS FOR THE SCENE OF THE FIGHTING.

I immediately made for the town, which was a quarter of a mile in the opposite direction from which I was going. I got there and broke open a store—there were no people in town at all on the streets, and the men seemed to have gone to dinner. I tried to get into some of the stores, and finally broke open one store, and got an old shot-gun, and loaded it with the biggest shot I could find, which were duck-shot lying on the counter; and I picked up a box of "G. D." caps, and started on the run. The firing was still going on.

I ran a quarter of a mile, and the first man I met was Mr. Rice coming in on a horse, shot badly in the hand. I asked him what was the matter; he says, "Well, every white man on the field is killed, excepting myself, I suppose." But I still heard firing, and I thought there might be some left there yet, and I jumped on his horse with this gun I had got, and started about as fast as the horse could make tracks, for the scene of action.

I met dozens of negroes and whites both flying backward and forward, and trying to escape. I met a good many negroes passing by without arms, and on going about one hundred yards below the depot I met seventy-five in a squad on horseback.

SEES A WHITE MAN KNOCKED DOWN AND HE FIRES INTO THE CROWD.

Q. A squad of whom?—A. A squad of blacks on horseback. It was at an angle where a Mr. Wells, from Raymond, was trying to make his way in a buggy, and the cry was going up and down the line—"Kill him!" "Catch him!" "Hit him!" and all sorts of things of that sort.

Q. From whom did these cries come?—A. From the blacks.

Q. Were they directed toward Mr. Wells?—A. Yes, sir. He was in his buggy; I had just seen him knocked down, struck on the head by a negro with a revolver at the railroad-crossing, but he recovered himself and drew his pistol and fired at some negroes who grabbed his horse's bridle. He fired in that direction, and they turned him loose. They got several licks at him, and several shots were fired, and he made his escape without the reins of his bridle, which I did not know, however, until afterward; he seemed to be watching his horse more than the firing. They were shooting at him all along the line. He would have been caught just at this corner and probably killed if I had not happened to have got there just at that time and fired both barrels of these bird-shot into this column, and scattering as they did and hitting six or seven, they yelling tremendously—they broke and fled. I ran back myself then and seized another gun. I saw another man who had been to town and was coming out with a shot-gun, and I threw the empty gun to him and snatched his gun and started. I found many of these negroes did not seem to be fighting at all; but I knew that most of them

had pistols on, but they were empty by this time. I passed them and went to the scene of action, and there I found nothing going on; but I heard shots before I got to the top of the hill, and there I found some two or three dead bodies.

ABOUT THE WHITE MEN KILLED.

Q. Did you know any of them?—A. No, sir; I did not know any of them.

Q. Black men or white men?—A. They were black men that I saw there—just lying there, and we afterward found the body of Mr. Sivley and Mr. Tompson and Mr. Chilton. Mr. Chilton was shot right near his house—the very man I had taken dinner with, and there was not a more quiet, inoffensive man in our county. It was Charles Chilton, the brother of John Chilton, who had before that been an active republican, and a leading republican of the native Mississippians of our county; and at that riot he threw up the sponge; he said he had given $100 in money in beef, and the heart's best blood of his brother that day, and he was done.

Q. By whom was his brother killed?—A. By the negroes.

Q. How far from the original scene of the riot?—A. Right at his own gate he was shot; that was 100 yards, I suppose.

Q. Was he in the affray?—A. No, sir. There was such a stampede and rush that the negro men were riding and running over their women and children; and there was such confusion and hallooing that he ran out to his gate. He carried his gun with him, though, which was very natural; and he handed his gun to a negro boy standing by him, and said, "Take this." Now that is the way the thing was told me. He was standing there helping the women and the children into his yard to get them out of the way of the stampede and of the horses, and as he turned his back some of the men in the road fired and shot him.

After finding that there was no armed body on the top of the hill, and several men from the town began to assemble—but before that time the negroes had gone off in companies, and they seemed to be assembling, and I thought we had better make for the depot and get possession of that, and send for assistance to some other point to help us—for I thought it was very likely that there were not white men enough there to hold the town against the negroes should they be disposed to attack it—which we did.

NUMBER OF WHITES AT CLINTON MEETING.

Q. How many white people do you suppose were present at the Clinton meeting; at the original meeting?—A. At the barbecue?

Q. At the barbecue.—A. I think not over twenty-five or thirty; thirty at the outside.

NUMBER OF COLORED PEOPLE AT CLINTON MEETING.

Q. How many colored people?—A. I counted 800 men in line, cavalry.

Q. Besides that, how many?—A. Besides that there were, I reckon, 400 or 500 on foot, besides women and children. I don't know, but I reckon there was a crowd of two or three thousand altogether.

Q. You went up to be one of the speakers, but did not speak?—A. Yes, sir; I did not speak.

Q. You were entirely unarmed?—A. Entirely so.

EIGHT OR TEN WHITE MEN ARMED.

Q. Do you know whether the white men who were there were armed?—A. I found out afterward that there were about 8 or 10 white men on the ground that had arms.

Q. And the others?—A. The others were unarmed.

HOW THE COLLISION AROSE.

Q. Do you know how that collision arose; as to whether there was any premeditation about it?—A. None in the world, as far as I could get knowledge of the facts. I don't know anything of my own personal knowledge, but Mr. Neal, who was shot in the riot, attempted to tell me as near as he could; but I don't know whether it would be proper for me to tell it to this committee; but I can give it for what it is worth.

Q. Were these facts learned at the time of your arrival there from white people who had taken part in it?—A. Mr. Neal was right there, and said himself that he was shot the first shot that was fired that day. He told me that they shot him.

Q. Who fired the first shot?—A. I don't know; he did not know where it came from. He says that he, with three or four boys from Raymond, went out to take lunch just across a little stream from where they were, and in their lunch one of the boys from Raymond went and got a bottle of whisky and carried it out; and one of the negro policemen came up and told him he must not drink it there on the ground, and he snatched the bottle of whisky from him. He says that as soon as the negro snatched it away from him he knocked him down; that his first impulse was to strike him; and he just hollered "police" to such an extent that in two or three minutes the whole assembly was there, police and everybody else, coming with pistols and sticks and anything they could get hold of.

ABOUT ARMED COLORED MEN.

Q. I want to ask you in regard to the colored men there, as to their being armed on that day; these men, for instance, whom you saw, these eight hundred men on horseback.—A. Well, I could not tell you how many of them were armed, as their weapons were concealed, you know, all of them.

Q. How many of those men on the train, of whom you spoke, that were coming up with you, were armed?—A. There were twenty-four or twenty-five, and there were over two-thirds of them that had pistols, and I am satisfied from what the captain of that negro company told me himself that more than half of his men were armed that day.

Q. What negro company was that?—A. Well, they were under the command of a justice of the peace.

Q. Who was he?—A. A. L. Scott.

Q. Black or white?—A. Black; he commanded a negro company that day of about three hundred and twenty-five men from Edwards Depot. And when he got to Clinton he ordered this body to halt, and ordered the armed men to the front. He told me that he had heard they were going to be attacked in going to Raymond, and he halted and ordered all the armed men to the front.

Q. To the front of his command?—A. To the front of his column. They were on horseback, and coming from twenty or thirty miles back in the country.

Q. Had they pistols or shot guns?—A. Pistols only; no other weapons but them.

Q. What other armed black men do you know of being there?—A. I could not tell; I saw dozens of them—hundreds.

NUMBER OF WHITE MEN AT THE MEETING.

Q. Are you clear that there were this number of white men only at that meeting, say thirty men at the outside?—A. Yes, sir; I am positive of that fact. Well, I might miss it two or three men, one way or

the other, but not over that, because I think there were ten men there from Raymond; about eight or ten came up from Raymond, and I was from Edwards Depot. Raymond is only eight miles from there—a short distance. I don't mean directly from the town of Raymond, but from Clinton out to Raymond. There were eight or ten from that portion of the country, and there were, I suppose, a dozen or so from Clinton, and may be eight or ten from the north of Clinton in another direction.

Q. Then, as a fact, if these pistol-shots were heard by you, from whom must they have proceeded?—A. They were bound to have come from the negroes; there was no doubt about that in the world.

Q. Were there enough white men to have made that number of shots which you heard there?—A. No, sir; not if all of them had pulled the triggers of their pistols at once; and if they had all shot just at that moment, it could not have been done.

WITNESS TELEGRAPHS FOR WHITE COMPANIES.

Q. In the testimony you have been referred to as having been elected to the command of the company that assembled after that riot: state the facts about that.—A. As soon as I got back to the depot, seeing out for a mile or so the negroes assembling, some on horseback and some afoot—they seemed to be assembling out there, and we thought the next move they would make would be to attack the town—I telegraphed to Edwards Depot and Vicksburgh. I knew that the passenger-train was just about passing Edwards when I sent the dispatch, and I thought it might reach there in time for them to send us a company of men from there, and some from Bolton, and we thought that with these men, and some twenty or twenty-five men who had assembled at Clinton, we might be able to hold the town.

HE IS ELECTED TO COMMAND THEM.

I sent off this dispatch, and in an hour Edwards Depot sent up fifteen or twenty men, and Bolton's ten or fifteen. When all the men got there together they elected me to take command, and I got up and made them a little speech; and I suppose there are some here in Washington can testify as to what that speech was.

MADE A LITTLE SPEECH.

Q. What was the speech in substance?—A. Well, as to their action; that it was to be quiet and cool, and to take no revenge for the blood of these men who had been shot; and to let their efforts only be to preserve peace and defend the town. I then mounted twenty-five men out of the fifty or sixty men that I had command of, and I got the best guns we could get under the circumstances, which were shot-guns and old broken muskets——

HOW HIS COMPANY WAS ARMED AND WHAT THEY DID.

Q. I was going to ask you how these men were armed?—A. Armed with shot-guns and all sorts. Some of them did not have anything but their pocket-pistols, and some of them had shot-guns, and some of them had muskets.

Q. Well, what did you do?—A. I took twenty-five men and made a circuit all around the town to see if there were any bodies of negroes armed for the purpose of attacking us. I made a circuit of two miles in every direction all around the town, and we went in a lope all the way. I passed a great many negroes, but we interfered with none of them; I was only hunting men that were after fighting.

Q. Did you meet any armed bodies?—A. No, sir.

Q. Was there any collision between you and any one in the circuit you made?—A. None whatever.

Q. Did any of your men fire their arms?—A. No, sir.

Q. No discharges?—A. No, sir.

RESIGNS HIS COMMAND AND HARPER IS ELECTED.

Q. Go on.—A. I returned to Clinton, and when I got there I found that a great many men had assembled there from all around. I found there a man by the name of Coats, who was a negro, and had a pistol on, and it had been discharged, all the barrels of it, and he would have been killed but for me, right there, but I ordered him put in jail. It was whispered about among some of these men that came from the country and from Vicksburgh that this man was in jail, and some of them made a rush for him. I jumped in front of them and demanded of them to stop, and while I was parleying with them I got the man out of the way.

Seeing that there were so many men together, that it was bound to be a mob, as it would be in any country in the world where that number of infuriated men are gathered together—there is bound to be some lawlessness among them—I told them that I would not get the credit or discredit of having command of any expedition where I could not have the full control of the men, and Colonel Harper, of Bolton Depot, was elected to take my place, and I resigned my command.

ALARM AT BOLTON.

Q. After you resigned your command, what did you do?—A. I went to Bolton Depot on a dispatch that we had. There was a dispatch to Clinton calling the men back home; that the negroes had assembled, and they feared that they were going to attack the town of Bolton. I got on the train with the Edwards men and the Bolton men, and went back to Bolton, and guarded that town that night.

FIVE HUNDRED WHITE MEN AT CLINTON.

Q. How long did you keep these men at Bolton?—A. Until next morning, Sunday morning. We then got on some horses and came up to Clinton, that is, ten of them, and the balance went home to Edwards Depot. All the Bolton men except ten went home, and ten Bolton men and myself went on horseback through the country to Clinton, without meeting with any resistance or even firing a gun or a pistol. That was Sunday morning. When we got there to Clinton we found that there had been, I suppose, 500 white men in town through the night, and that they had gone home.

SOME NEGROES KILLED AROUND THERE AND THROUGH THE COUNTRY ON SUNDAY MORNING.

Q. Did you have any further difficulty, or know of any further killings, after that, growing out of that riot? If so, state them.—A. On Sunday morning I learned, although I did not see one of these parties that were killed or wounded, but I learned that there were some negroes killed around there in that neighborhood and through the country on Sunday morning. Now, I do not myself personally know anything about this, because I was not there, and I did not see them; but I think it very probable, as it would be very hard to keep as many men as there were there, some of them being infuriated, and that if any demonstration was made by the negroes as though they wanted to fight, they would be apt to get into trouble. The negroes were very scarce,

and nearly all of them ran away to Jackson, and got away from the neighborhood.

Q. How long before they returned?—A. That I cannot tell; I was at Edwards.

DISORDER AFTER THE RIOT.

Q. Have you any further knowledge of disorder or bloodshed which took place after the riot on Saturday?—A. I went to Jackson, and there I met a great many of the negroes who had been in the riot, and I talked with them, and on Monday morning I returned to Edwards Depot, and there I heard that men from the lower part of the county had been scouting through the country everywhere and catching up every man that had been in Clinton. That is just hearsay; whether it was so or not, I could not say of my own knowledge. But I got on my horse and started out to see them, to get them to disband; and when I got where it was said they were, I found no trace of them; they were all gone home.

ABOUT MR. HAFFA.

It was about that time that Haffa's death was reported.

Q. State what you know about that.—A. I don't know anything about it of my own knowledge. I knew Mr. Haffa.

Q. Who was he?—A. He was a man that was from Chicago, brought there by Dr. Robinnett, for the purpose of working on his farm, some seven or eight years ago. I got twenty at the same time myself.

Q. Twenty what?—A. Twenty laborers from Chicago at the same time, white men; and, by the way, the last one of them ran off and stole all my mules, and I lost every cent that I made. This man Haffa was one of them that Dr. Robinnett got. He worked about three days with Dr. Robinnett, and then went to William Bush's and hired himself to a negro man who was renting from William Bush. After living there two or three weeks, and doing a good deal of mischief, Mr. Bush and some others went over there and took him out and gave him a flogging, and Bush was up before the United States court, but the suit was dismissed. This flogging placed Haffa in a position to get office from the negroes, and at the next election he was elected to the legislature. He was then a magistrate, and had been for several years teaching school there. I know nothing about him except what the neighbors there said. He was a very bad man, I judge, from everything that was said about him.

Q. Do you know what his reputation among the blacks was?—A. I received a dispatch inquiring for some one who could testify in regard to the Haffa case from here, and the first man that I inquired about was a negro man living on my place, who brought the dispatch from the telegraph-office to me—I live five or six miles out in the country. I asked him if he knew anything about the killing of Mr. Haffa; and he says, "No, sir, I don't; but he ought to have been killed long before he was." I said, "Why? I thought he was a good friend of yours." He says, "No, sir; he done too much stealing in this country, and he ought to have been killed long ago."

If this will be allowed as testimony, I will say what this negro told me about Haffa. He says, "Well, sir, when he was elected magistrate he sent for all of us to come up and get our mules that the Government was going to give to us, and he said that it took $5 apiece to get the mules and pay the freight on the mules." And he said that they gave him $5, about 200 of them, but that he did not give $5, as he did not have it; and at the time appointed to get the mules they came there, and Mr. Haffa said that they had so many mules for the blacks down there,

and they had such a great long train of them, that in passing underneath a tunnel the whole thing caved in and killed every mule, and they lost their $5.

I said, "You are surely mistaken; you are joking about that." He says, "Joking! I am not joking; I can get you a dozen men in five minutes that gave him $5." Well, on inquiry, I found that his reputation was very bad among the negroes, although he had been elected to office by them.

Q. Do you know anything of the circumstances of his death?—A. Nothing in the world.

Q. Did you hear of it at the time?—A. Yes, sir, I heard of it; and why it should be done for political purposes—I have no idea that there were any political purposes or object in the killing of Mr. Haffa, because he had many fallings-out with his neighbors; he was a terrible man to fall out with his neighbors, and they had all sorts of difficulties with him.

I have no idea that there was any politics in the killing of Haffa in the world. It was not on account of any political differences of opinion that Haffa was killed.

Q. Had you any application from Mrs. Haffa for assistance?—A. I had; and paid her $50 at Edwards Depot. She came there and applied to me for assistance.

NEGROES ORGANIZED AND MADE MANY DEMONSTRATIONS AND THREATS AFTER CLINTON.

After this difficulty was over in Clinton the negroes organized in companies throughout Hinds County, and made many demonstrations and threats to make an attack upon the town and kill all the people; sent in word that they were going to commence from the cradle and go up. Well, sir, living in such a country as I do, it is well calculated to arouse a man's fears, if he has got any. I live on a public road, myself and one other white man, and there are seventy-six negro men on the road and only us two white men; and it is very reasonable that if they wanted to hurt us they could do so.

THE WHITES ORGANIZE TO PROTECT THEMSELVES AGAINST THE ENCROACHMENTS OF THE BLACKS.

We organized ourselves into companies for protection then against these negroes, into military companies. I was captain; was elected to take command of five or six of them, in different parts of the county. It was simply and purely for protection; not for any political purpose in the world, but to protect ourselves against the encroachments of the blacks.

HELP TO MRS. HAFFA.

Q. Why was this application made to you by Mrs. Haffa?—A. As being in command of this military company, I suppose she was sent to me by some one. She was inquiring about where she could get assistance, and she was sent to me. She told me that Haffa's father was a man of considerable wealth and influence, and that when she could get home she would be cared for, and she wanted to get her family out of the country; and I handed her $50. Where she went I don't know, and I have never seen her from that time to this, and I never saw her before.

Q. Was that a gratuity of your own to her, or did you owe that money to her husband?—A. No, sir; I never owed the money to anybody. After I handed her the money some of the men there in the neighborhood went around and got up a subscription.

Q. What was that money given to her for?—A. Well, as an object of charity; she was there without any home and with her children.

Q. Had she any claim on you in any way, either directly or indirectly, through her husband?—A. None in the world; she had no claim on any man that gave her a dollar; but we were bound to feel sorry for her and for the death of her husband. I don't think any man regretted more than I did the fact of her husband being killed at that time; and my sympathy was as great as it could possibly be for one in whom I was no more interested than I was in her.

ABOUT SCOTT'S COMPANY.

Q. What was the name of the captain whom you stated had 300 men in his company at the Clinton barbecue?—A. A. L. Scott.

Q. A colored man?—A. Yes, sir; he was a justice of the peace.

Q. What company was it, and where was it organized?—A. At Edwards Depot; they had two or three companies at Edwards Depot.

Q. May I ask you if these companies were military companies?—A. Just like ours were organized.

Q. Armed?—A. Well, with the best arms they could get hold of.

Q. Did they drill and parade?—A. Yes, sir; they done that long before the Clinton riot.

Q. Have you seen them drilling?—A. Yes, sir.

Q. And parading?—A. Yes, sir.

THE WHITES WERE SCARED TO DEATH, ALMOST.

Q. Were they in military form, marching?—A. Yes, sir; they marched to Clinton in military order and drilled some on that field. They beat their drums all night the day before; and they blew whistles and scared everybody nearly to death in the country along before the Clinton riot; and in fact from that time on to the election there was one scene of confusion. I would just like the members of the committee to picture to themselves a man in that country. The whites were scared to death, almost, of the negroes coming in and assassinating them. I have many times run my family off from home; we have just packed up bag and baggage and left, not knowing where we were going or what we were going to do.

BETTER FEELING NOW.

I think though, now, that there is a better state of feeling between the whites and blacks in Mississippi than we have ever had since the war.

THE STATE MILITIA.

Q. Was there apprehension in the minds of the white people in Mississippi, growing out of the organization of the negro militia by Governor Ames?—A. Yes, sir; a very grave apprehension. This militia was organized some time after the Clinton riot. These companies that were at Clinton, that ran off from the scene of action, the most conspicuous members of the Clinton riot, were taken to Jackson and were organized into military companies by Governor Ames, and guns placed in their hands and sent back to their homes. They said they were afraid to go back; but those who were afraid to go back had taken a very active part in the riot, and in staying away they induced others to stay, because they knew that if they should go in that capacity the governor would be pretty apt to put them in military companies, and they would go back home with their guns, drawing the pay of $16 a month, which was just as good as they could do at work at home; and of course quite a number of the most ruffianly fellows were organized into this militia, and they came down to our place.

Q. Now, as a fact, in your county were the white companies that you

speak of, such as you commanded, organized subsequent to the negro organizations you have spoken of?—A. Yes, sir; we never thought of organizing until we found the negroes organized and drilling at night, for some purpose which we could not tell, as no white men could get in among them. They were drilling and were organized all over the county before any movement took place on the part of the whites.

MRS. HAFFA'S DEPARTURE.

Q. What was the date of Haffa's killing?—A. I think it was about the 4th of September. He was killed right on the heels of that Clinton riot.

Q. Do you mean before it or after it?—A. Right after it.

Q. How many days?—A. Well, I think it was the next night.

Q. How long after that did Mrs. Haffa go away?—A I don't know, sir.

Q. When did you see her when she got this money from you?—A. A few days after her husband was killed; I suppose about a week or ten days afterward; she came in there with her trunks and baggage and everything, and her children, and stopped at Mr. Mahone's, and she wrote me a note telling me what she wanted; and I went to Mr. Mahone's house and paid her $50; I think it was $51 or $52.

NO KNOWLEDGE OF INTIMIDATION OR INJURY BY WHITES.

Q. You were living in that county during the canvass?—A. Yes, sir.

Q. Have you any knowledge of any attempt to intimidate or injure colored men by the whites to prevent them from exercising the right of suffrage at the election?—A. No, sir.

Q. Were you present at the election?—A. I was there.

Q. Where was your voting-place?—A. Edwards.

QUIET ELECTION AT EDWARDS.

Q. What was the character of the election on election-day?—A. Well, sir, it was a very peaceable, quiet election, although in the morning we thought that it was going to be a very serious one.

EIGHT HUNDRED NEGROES IN LINE OF BATTLE.

Q. Why?—A. Well, after the organization of these military companies by the negroes, the fear of the white people had been aroused; they came to the polls at Edwards about 800 in line of battle; they drilled up on the hill sometime in sight of the town, and they came to the polls. A few of the negroes who wanted to go with us had the bravery, though, to go right through them, and go on down town with the white people; but most of them who wanted to vote with us were afraid of the consequences.

A GREAT DEAL OF INTIMIDATION ON THE PART OF NEGROES TOWARD OTHER NEGROES.

Q. Afraid of what?—A. Afraid of that military company—afraid of the negroes, of their own race. In fact, I had to go to the rescue of some of them several times, to take them away from their own people. There was intimidation, and a great deal of it, on the part of the negroes toward other negroes who wanted to vote with us; but I never saw any intimidation on the part of the whites toward any negro who wanted to vote the republican ticket; and the negroes could vote just exactly as they pleased anywhere in Hinds County, so far as my knowledge goes; and I speak for the whole county.

Q. Do you see a good deal of the colored people there?—A. Yes, sir.

HIS HANDS COULD TRUST HIM IN EVERYTHING BUT POLITICS.

Q. Do you know something of their views in that way?—A. Yes, sir. I would say this to the committee; that all of the hands on my place, if

they were not afraid of their race, afraid of bodily harm, I think every one on my place would vote with me; no matter who I voted for nor what I voted for, for they would trust me just that far. They would trust me for everything else in the world except when it comes to political questions, and when it comes to that they are just bound to fall in the footsteps of the race, and they believe that there is something to come if they don't.

AFRAID OF BODILY HARM FROM THEIR OWN RACE.

Q. What do you mean by that; what is to come?—A. They believe that they will receive bodily harm from their own race, which they would up to this time. They have just found in the last election—I will tell you what I know occurred at the election: these negroes, 800 strong, marched up to the box for the purpose of voting the republican ticket. We knew that a great many of them would vote with us if they had an opportunity to do so without its being known by the other negroes; so we had a lot of tickets struck off which were exactly like the republican ticket, and whenever we found a negro that we thought wanted to vote with us we gave him one of these tickets; and we found that when we came to count out the votes a large number of them had put that ticket in; out of the 800 that was in that line it was clearly demonstrated that there was one-half of them voted our ticket, although they would have their leaders to suppose that they were voting the republican ticket.

Q. Do you believe, do you wish the committee to understand, as a matter of fact, that there is a disposition on the part of the colored men to vote independently of their color-line?—A. Yes, sir; if they would be allowed to.

Q. Allowed by whom?—A. By their party leaders. I know that to be the case; at least it is if they tell the truth at all. They have talked a great deal to me about it.

CONDITION OF THE COUNTRY THERE NOW.

Q. What is the condition of the country there now in regard to peace and good order?—A. I just remarked that there seems to be a better feeling existing between the whites and blacks than there has ever existed at any time since the war: the negroes are working better; there is more confidence between them and the whites, and the crops are in better condition; and everything is better than we have ever had it at any time since the war.

ABOUT MR. AND MRS. HAFFA.

By Mr. McDONALD:

Q. Do you remember of Mr. Haffa's being away from there for some time—gone up North?—A. No, sir; I don't know anything of the kind. I only met him occasionally. I knew him when he first came there, and had been before him as a justice of the peace, and I had seen him occasionally at Edwards Depot. I lived at Clinton several years myself at the same time that he was living down there.

Q. How far did he live from Clinton when he was killed?—A. It was about 12 or 15 miles, and 6 miles from where I lived at that time, and from where I am living now.

Q. Do you know anything about Mrs. Haffa's having any difficulty in getting away from there; whether any obstructions were put in her way, or anything of that kind?—A. From Hinds County, at this time?

Q. Yes, sir; up to Jackson.—A. None in the world.

Q. You say she was staying at some house there at Edwards Depot?—A. Yes, sir; at Mahon's; she staid there two or three days——

By Mr. BAYARD:

Q. Who was he?—A. A white man living there.

By Mr. MCDONALD:

Q. She was unmolested, was she?—A. Yes, sir.—A white man and a democrat. He tried once to be a republican, but the negroes would not take him, for even the negroes did not have enough confidence in him to let him in.

WITNESS'S HANDS, LANDS, AND CROPS.

By the CHAIRMAN:

Q. How many negroes do you employ?—A. I employ from 20 to 60 a year.

Q. How large is your plantation?—A. I have from 1,500 to 2,000 acres.

Q. How much in cultivation this year?—A. I have 400 or 500 acres.

Q. Chiefly in cotton?—A. Yes, sir; cotton is the principal crop. I am planting a great deal of corn this year also.

Q. How long have you owned this property?—A. My father owned it before I can remember, and I have the same negroes that belonged to him before the war. They staid there in preference to going anywhere else.

"THE CHEVALIER BAYARD OF HINDS COUNTY."

Q. Were you in the war yourself?—A. Yes, sir; I was a captain in the confederate army.

Q. Did you serve through the war?—A. Yes, sir; I went in at first when I was fifteen years of age, and I got to be a captain when I was eighteen, and I staid through to the end.

Q. You are known throughout your county as a man of courage and capacity in military matters?—A. I think I have a greater reputation for that, sir, than I deserve.

Q. Are you distinguished by any particular title or name?—A. Yes, sir.

Q. Are you not called "Fighting Montgomery" sometimes?—A. Yes, sir; I have been called the "Chevalier Bayard of Hinds County," by men just talking, you know; but I think I have got a bigger reputation that way than I deserve.

Q. The public judge of that, you know. The negroes that you employ have always been faithful?—A. Yes, sir.

Q. You don't live under any apprehension of their injuring you, do you?—A. Well, for myself I will tell you, when I have seen my neighbors running off, and have sent my family away, I have staid right in my own house on my place, but I must say that I had apprehensions. If left alone I would never have been afraid of them, but I knew that there was something brought to bear upon them from the outside, and they might not be able to resist the temptation.

Q. How many years have you been living at your present place?—A. Always—since I was 9 years old.

Q. Some of those negroes were on the place before the war and remain there now?—A. Nearly all of them.

NEGROES GENERALLY HAVE GONE BACK TO THEIR OLD PLACES.

Q. How with the negroes in the neighborhood? How are they situated with reference to their old places?—A. Well, on the majority of the places they have got back there. A great many of them went off—were taken to different States after the war; but whenever their former owners would allow them to come back, would have anything to do with them, they are right back there on the same places again.

SLAVEHOLDERS PREFER TO HAVE NOTHING TO DO WITH THEIR OLD HANDS.

Q. They are working very generally for the men who owned them while slavery existed?—A. Yes, sir; but the owners are beginning to find out that the best thing they can do is not to have anything to do with their old hands: they expect too much from them; and if they get strangers they can do a great deal better with them, and make more money out of them than out of their old hands.

WITNESS AND OTHER WHITES LIVED IN FEAR OF ASSASSINATION.

Q. You mentioned that you had lived in fear of assassination from the negroes?—A. Yes, sir. I never stated that exactly—that I lived in fear of assassination; I said my fears were aroused sometimes. Senator Bayard asked me if I was afraid, and I said that sometimes my fears were so strongly aroused that I sent my family off, but I staid there myself.

Q. You may have stated that the people were living in fear of assassination, your neighbors perhaps; was that what you meant?—A. Yes, sir.

THERE IS AN ANIMOSITY BETWEEN THE RACES IN MISSISSIPPI BEFORE ELECTION, BUT IT CALMS OFF JUST AS SOON AS THE ELECTION IS OVER.

Q. Now, please tell us exactly what has happened that created that fear.—A. Well, sir, it would take me a long time to tell what has happened. I would have to go back to the date of the surrender and go right on up to this time in the history of Mississippi. I would have to give a political history of Mississippi. You know what that is, and the world knows what it is, and it is not worth while for me, as a witness here, to try to explain that, because it is a history that every true Mississippian regrets is the case, and that there is any animosity between races; but that, when elections come there is an animosity, cannot be denied, we all know that; but just as soon as the election is over, no matter which way it goes, it calms off, and everything is quiet and peaceful—except at the Vicksburgh city election; there is one instance where it did not calm down.

ALL THE WHITE MEN LEFT THE REPUBLICAN PARTY.

Q. You said the last election was pretty much upon the color-line?—A. Yes, sir; it was pretty near on the color-line. I suppose so because nearly all the white men that had belonged to the republican party refused to vote with them. Every white man, I think, except Captain Fisher here and two or three others about the Pilot Office, in Jackson, went over in our county.

Q. Pretty much all of the white republicans have left the party?—A. Yes, sir; they have joined with the democrats.

BUT ALL THE BLACK MEN DID NOT REMAIN IN IT—GOOD GRACIOUS, NO, SIR—NOT BY A JUG-FULL.

Q. And pretty much all of the black men remained with the republican party?—A. No, sir; they did not by a jug-full. Good gracious! I have ridden at the head of 500 negroes in one line, hollering and cheering, and riding with the democratic procession.

Q. When was that?—A. Just before the election.

Q. Was that in Hinds County?—A. In Hinds County.

ONE REPUBLICAN VOTE OUT OF SIX HUNDRED.

Q. These men were not deterred by their associating among the colored people from expressing themselves?—A. It happened that their

club went over. It was only in one place, and that was at Utica, in Hinds County, and there was so many blacks went over there that they just carried the whole thing. There was but one republican vote cast at that precinct, out of 500 or 600.

Q. It was a very large conversion over there?—A. Yes, sir.

Q. How many white men are there in the neighborhood of Utica?—A. I think that it is pretty nearly equally divided. It has been a pretty closely contested box, anyhow.

HOW THE DEMOCRATIC COMPANIES WERE ARMED AND ORGANIZED.

Q. Did either of these companies that you were chosen commander of belong in Utica?—A. One of them.

Q. Where were these companies from?—A. From Clinton, Bolton, Edwards, Queen's Hill, and Brownsville.

Q. Numbering how many men?—A. About 350 men.

Q. How were those men armed?—A. We sent on and got the best guns we could get.

Q. What were they, in fact?—A. Every sort of gun that you ever heard of.

Q. They were the very best guns that modern science produces?—A. Yes, sir; I had one myself that cost—I don't remember the cost of it—it was a thirty-four shooter; it would shoot thirty-four times, just as fast as you could fire.

Q. How many of your men were armed in that way?—A. I was the only one that had that kind of a gun.

Q. What number of shooters did the next grade consist of?—A. I could not tell what gun was most used, but I expect the Henry rifle, though.

Q. Did you organize the five companies?—A. Well, sir, I cannot say that I did; some of them I never saw; I never went to where they were. They were organized, and the captains of them reported to me.

Q. Then what was your official relation to them; were you colonel or general?—A. They called me, for a while, major of the battalion.

Q. Then these companies had officers in their different localities?—A. Yes, sir; they were to be officered in their own localities.

Q. Was this organization which you represented a branch of some larger organization in the State?—A. I never knew of anything larger, sir; I reported to no one, and I was in command of everything that I knew anything about. I have assured you, and I want you to understand, and the committee to understand, that we only organized for our protection, and we acted—expected to act, always on the defensive, and to forbear as long as it was possible.

THINKS, PROBABLY, THERE WERE SIMILAR ARMED ORGANIZATIONS IN THE STATE.

Q. Were there other military organizations in the State corresponding to that of which you were the head?—A. I think probably that there were. I did not know of them, however.

Q. How many such do you think there were in the State?—A. Well, sir, I think, judging from my own county, that the whole State may have been pretty much in the same fix.

HALF THE WHITE VOTERS OF HINDS COUNTY IN MILITARY ORGANIZATIONS.

Q. What proportion of the voters do you think were organized in the manner you have spoken of in your county?—A. O, well, half of them, I suppose, would take an interest in it—maybe half of the voters of the county.

Q. Half of the white voters in Hinds County?—A. Half of the white voters in Hinds County.

Q. And about that proportion, do you think, in the State?—A. They would not all attend the company meetings.

Q. But they were enrolled, I suppose—known to be connected with the organization?—A. There was no regular organization, except in each locality, as I stated.

Q. There was a small organization in each locality?—A. I suppose so. I was just judging for my own county. I don't know anything outside of that of my own knowledge, except in Vicksburgh. I know that Vicksburgh sent two companies, and I know that there was an organization at Vicksburgh of military companies.

BUT HINDS COUNTY BETTER ARMED THAN OTHER COUNTIES.

Q. The proportion in other counties of the State was, in your judgment, about the same as in Hinds County, of men who were armed in the manner you have described?—A. No, sir; I reckon Hinds County was about the best armed county in the State, on account of that riot at Clinton—Hinds and Warren. I know lots of counties where they did not make—I heard they didn't make—any attempt toward electing a ticket at all.

Q. The democratic ticket?—A. Yes, sir; in the lower portion of the State.

Q. And in those counties you understand that there was no organization?—A. I do not know; I was not down in those counties, but I suppose that as long as they were allowed to go on and elect any ticket that they chose—if they were to be allowed to go to the election and force every negro that did not want to vote the republican ticket—just force him to the polls, I don't suppose there would be any necessity for organizing any military company at all; they would let them go on.

Q. They would not undertake to interfere with them?—A. No, sir. I know two or three negroes in my neighborhood who just for their wanting to vote with the whites have been cut with knives and beaten. I don't know of any being killed right straight out, but they were pretty near it.

MISSISSIPPI WITHOUT REPRESENTATION IN STATE OR NATIONAL LEGISLATURE FOR NINE YEARS.

Mississippi having been for nine years without representation in the State or national legislation, we determined that we would use all honorable means that we knew of to get in the men of our country, and men that we thought were fit to occupy these positions.

Q. Which nine years do you speak of?—A. Since the war. I don't know of any representation of the State of Mississippi until this year: I mean of the tax-paying, intelligent portion of Mississippi.

Q. You do not consider that during that nine years Mississippi had any representation in the State legislature or in the Congress of the United States?—A. No, sir.

Q. That is your view of it?—A. Yes, sir; and the view of the tax-paying, intelligent white men.

Q. At the election last year there was an effort to change that?—A. Yes, sir.

WHITE MILITARY ORGANIZATION THE RESULT OF THE NEGROES.

Q. And you went on in the manner you have described to make that change?—A. Well, I don't know whether you mean to ask me if the military organization was the result of that. I say this military organization was the result of the negroes—the negroes organized their military companies because they saw that we wanted to make opposition

to their electing their ticket. Then, in self-defense, after having heard all kinds of rumors and reports about murder, burning, and so forth, and after having had this riot at Clinton, we organized our military companies for self-protection; but we did not bring these companies—never called these companies into service at all. They were not needed, I am happy to say, in carrying Hinds County.

Q. You found it to be an unnecessary thing?—A. Yes, sir.

Q. Were your men mounted; did they provide themselves with horses?—A. No, sir; a man joined the company, you know, and if he had a horse, it was all right, and if he did not have one—they were just enrolled and got their guns to be ready for an emergency.

Q. Now, on the night of the riot in Clinton the men that patroled in that neighborhood, were they your men or members of your companies?—A. No, sir; we had no company then.

Q. The companies were organized afterward?—A. The companies were organized afterward.

THE CLINTON MEETING.

Q. What time did you go to the meeting at Clinton on the 4th of September?—A. I got upon the freight-train in the morning.

Q. What time did you arrive there?—A. I suppose it was about 10 o'clock.

Q. What time did the speaking begin?—A. It was nearly 1 o'clock, between 12 and 1, before the speaking commenced.

Q. What time did you go to lunch with Mr. Chilton?—A. About 2, I suppose.

Q. How far was that from the place where the speaking was?—A. Two or three hundred yards—right close by.

Q. Who had spoken when you left?—A. I left Mr. Amos R. Johnston speaking.

Q. Was everything orderly at that time in the meeting?—A. Well, sir, as orderly, I reckon, as one could expect among a crowd of that size.

Q. You received notice from the democratic committee of the county to go over and speak, did you, that day?—A. No, sir; Mr. Dabney received notice, and he requested me to take his place.

Q. When did he make that request of you?—A. That morning. I was on my way to Utica; we were going to have public speaking there that day, and I had started horseback to Utica. I met him at Edwards Depot, and he handed me this dispatch, and told me that he did not want to go; that he wanted to get acquainted with the people whose votes he expected to receive, and had appointed that time to make a speech to them, and he would go on and get me to go to Clinton.

THE COLORED COLUMN.

Q. Where did you meet these 800 men?—A. Almost on the identical spot that I fired the shot-gun at the time of the riot. I was sitting in a buggy with a friend between Raymond and Clinton, and the road was blocked up; the head of the column came right to this fence, where I fired to protect Mr. Wells. The head of the column passed there, and we could not go through with our buggy, and I had to stay there until they passed, and I counted them.

Q. You counted them as they passed?—A. Yes, sir; it was a long line, and the sun was shining very hot.

Q. Did you see any arms among them?—A. Yes, sir; side-arms.

Q. How many do you suppose you saw?—A. I have no way of arriving at the number. I saw a good many: some of them had their coats

off and their pistols buckled on the outside, and I suppose I saw a couple of hundred.

THE WITNESS FIRED AND SCATTERED THE CROWD.

Q. What led you to fire the gun you took from the store that you broke into?—A. Why, I saw these men attempting to kill this man Wells.

Q. What did they do?—A. I suppose there was forty shots fired at me.

Q. At you?—A. Yes, sir; but before I fired—about the same time I fired—they were charging on the town, and turned to one side after Captain Wells at that time. I did not see why the two shots I fired into the crowd should have scattered them, but it seemed to do it.

Q. Where did this affair take place?—A. Right in a little bottom below the railroad-depot, about a quarter of a mile from where the speaking was.

Q. Toward the town or from it?—A. Toward the town.

Q. How far from the town?—A. About half-way.

FORTY SHOTS FIRED AT THE WITNESS.

Q. How many men were there that were approaching the town at the time you fired?—A. O, good gracious, there was a thousand, I reckon, but it was these seventy-five mounted men that did the firing; and I think it was the Edwards Depot company that did the most of the firing that day. They went there prepared to fight, and expected to fight.

Q. Do you say that these people fired forty shots at you?—A. I suppose full forty.

Q. And upon your discharging your double-barreled shot-gun they turned and fled?—A. Yes, sir; and left two or three pistols lying in the road.

THE RETREAT DESCRIBED.

Q. And you suppose that these seventy-five men whom you met there, supported by a thousand more, were charging upon the town?—A. No, sir; I supposed that the seventy-five were charging; they were not supported by this thousand. The thousand was just scattered; there was great confusion, some resting, some running, and some pursuing white men, and some running to get out of the way themselves; and these seventy-five men were just mounted, and had their pistols out, and did not seem to have any idea what to do.

NINE HUNDRED AND TWENTY-FIVE RUNNING AND SEVENTY-FIVE CHARGING.

Q. Then the nine hundred and twenty-five others were trying to get away and escape from danger?—A. Yes, sir; I suppose so; undoubtedly at the time.

Q. And the seventy-five men, you say, still wanted to charge upon the town?—A. Yes, sir.

Q. Is that still your impression now?—A. Well, I don't know; I don't want to volunteer an impression of my own.

Q. Is it not your present opinion that the seventy-five men were under the same influence that controlled the nine hundred and twenty-five—trying to escape from the danger that they supposed existed, and having no other object?—A. No, sir; they were going in an opposite direction from their homes.

Q. Did you get near these seventy-five mounted men?—A. Yes, sir.

Q. Did you know the men?—A. Yes, sir.

Q. All of them?—A. Yes, sir.

Q. And they were going in an opposite direction from their homes?—A. Yes, sir.

Q. And might they not be fleeing from danger, expecting they were most in danger at home?—A. Well, what were they running for, and shooting all the white men there?

WHITES AND BLACKS KILLED AND WOUNDED.

Q. How many white men were killed in that fight?—A. Three.

Q. How many colored men were killed that day?—A. Three or four.

Q. How many colored men were killed Sunday morning and Saturday night?—A. I don't think any were killed Saturday night.

Q. Well, Sunday morning?—A. Up to the time I left there were none killed; I never saw one of them.

SOME FIFTEEN OR TWENTY KILLED ON SUNDAY MORNING.

Q. What was the common report?—A. That a great many had been killed; some fifteen or twenty.

Q. How long were you out at the head of that expedition the afternoon or evening of the riot?—A. I was out three or four hours; I was out from about 4 o'clock, and I did not get in until half an hour in the night, I suppose.

Q. That would be half past 6 o'clock or 7?—A. Yes, sir.

Q. Were your men all together?—A. Yes, sir; they were all following right on behind me, and we went in a lope nearly all the time.

Q. On the same roads?—A. No, sir; I took a circle around the town, and cut across from one road to the other. We were under the impression that an attack was going to be made on the town, but I found I was mistaken.

Q. How many men had you?—A. Twenty-five.

Q. Were you fired upon?—A. No, sir.

Q. Did any of your men discharge their arms?—A. No, sir.

Q. Any person killed within your knowledge that afternoon?—A. No, sir; there was no damage done on the route that we took; no person killed that I ever heard of.

Q. Where were you on the following Sunday?—A. I was on the road from Bolton Depot until about 12 o'clock, and I was in Clinton after that until the train came up, and then I went to Jackson.

Q. Were you mounted in going from Bolton to Clinton?—A. Yes, sir; and I had ten or twelve men with me.

Q. And they were mounted?—A. Yes, sir.

Q. Did you take a direct road?—A. We took the direct road, right along what is called the Champion Hill road.

Q. Were there other men in arms at Bolton when you left?—A. No, sir; all the men had gone home; the Edwards men and my own men that came up from Bolton to Clinton and Edwards, had all gone on home; all my men that came into Bolton that night had gone on back.

Q. Were there any scouting-parties out that day—white men?—A. I have heard that there were; but I don't know of any.

Q. You don't know of any?—A. No, sir. When I and my party got to Bolton, we found that there was nothing going on, and that there was no need of our remaining, and we got horses at Bolton, and came back to Clinton, just to look at the condtion of the country, and we found everything quiet, and the negroes at home and peaceable.

NEGROES NOT DISTURBING ANYBODY ON SUNDAY—WHY THEY WERE KILLED.

Q. You did not find the negroes disturbing anybody on Sunday?—A. No, sir; not at all.

Q. How do you account for the circumstance that so many negroes were killed that night and the day after the riot was over?

Mr. BAYARD. He says that there were none killed that night that he knows of.

The CHAIRMAN. Well, the next day, the next morning?

A. Well, I suppose that five hundred or six hundred men coming together, and having fresh before them the bodies of three or four white men that had been mutilated and mangled, their fingers cut off, and rings taken from them, and their bowels cut open—that having these things in their mind, I think there were men there that could not resist the temptation of going out and avenging them.

Q. Did you see any of these white men that were killed, Mr. Chilton or any others?—A. Yes, sir; Mr. Chilton was only shot the one shot. I did not see where.

Q. Was he mutilated in any way?—A. No, sir; there was only one of them, Mr. Martin Sivley. I saw him.

ABOUT MUTILATING THE DEAD.

Q. How was he mutilated?—A. Well, his entrails—now, I will tell you the fact of the business; I don't know how much was done, but I know that his head was mashed in, and that he had four or five shots; he was so bloody about his face that if it had not been for his clothes I would not have known him. His bowels were cut open and were running out when we got to where he was.

Q. Do you know whether it was done after he was dead, or whether at the time he was killed?—A. I don't know a thing about it. I don't think he was killed for an hour or two after the thing was over, and he was not killed on the ground; he was running, trying to get away. And we found a Mr. Tompson, from Raymond, that evening, a mile from the ground. He was on the road toward Bolton Depot.

Q. Which way is that from Raymond?—A. It is in the direction going toward Raymond. He lived in Raymond, and it was on the road to Raymond. He was shot through the head. He had one shot in his leg. I suppose that after he had left the ground he was overtaken out on this road and shot by the negroes on their way home. He was left lying in the road, and I have seen a good many that rode over him.

Q. Did you know Frank Tompson?—A. No, sir; I did not know him; I was not acquainted with him; I knew him when I saw him.

THE EIGHT OR TEN MEN FROM RAYMOND.

Q. You stated there were eight or ten men from Raymond that day at Clinton?—A. Yes, sir.

Q. Did you know them?—A. I knew some of them; I knew Sivley and Tompson, and this man Wells, to whose assistance I came when the negroes were trying to kill him; I knew Major Harper, the editor of the Gazette.

Q. How old a man is Major Harper?—A. O, he is an old man. He never had any pistol.

Q. How long has he resided at Raymond?—A. All his life, I reckon; ever since I was a baby.

Q. Is he a well-known person in that community?—A. Yes, sir.

Q. A man of good standing?—A. Yes, sir.

Q. A member of the democratic party?—A. Yes, sir; but he has not been until last year, when the democratic party nominated him on the legislative ticket and elected him.

Q. What was he before that?—A. Well, he has been a regular democrat-hater; he has been an old-line whig.

Q. Was not a republican at all?—A. No, sir; I don't think he was; he was not a Mississippi republican.

Q. Is he a native of the country?—A. Yes, sir.

Q. Well, is he a man of good standing in the county?—A. Yes, sir.

Q. Has large influence?—A. Large influence.

Q. Tompson was also a native of Raymond, or of that vicinity, was he not?—A. Yes, sir; and his father was a Methodist minister there. He was a young man of considerable promise.

Q. Probably brought up to respect Mr. Harper, was he not?—A. He had just moved to Raymond and did not know much about Mr. Harper.

MR. HAFFA AND HIS FRIENDS.

Q. How far did you live from where Haffa was killed?—A. I lived five or six miles.

Q. Did you have any dealings with him?—A. No, sir; I never did.

Q. Did you know his neighbors?—A. Yes, sir; I knew them.

Q. Do you know Mr. Moseley?—A. No, sir; I don't know him.

Q. The agent of the sewing machine company?—A. I do know a Moseley, but he was not a neighbor of Haffa's. I know a Moseley who is agent of a sewing-machine; but he was first in one place and then in another. I don't know that he had a permanent residence anywhere. Mr. Whitehead was one of his neighbors.

Q. Do you know Mr. Whitehead?—A. Yes, sir; and Mr. Ned Davis was another one of them. The two Whiteheads and Davis, I believe, were the nearest neighbors.

Q. Do you know Mr. Bush?—A. Bush was not a very near neighbor to Haffa when he was killed. He had moved from where he was when Bush and him had the difficulty.

Q. That difficulty had all been settled?—A. Yes, sir; it had all been settled.

DON'T KNOW WHY DOLPH STEPHENS AND HIS SON WERE KILLED.

Q. Were there two or three negroes killed in Haffa's neighborhood the same day?—A. I understood that there were two, by the name of Stevens. I understood that Dolph Stevens and his son were killed.

Q. How do you explain the killing of these negroes?—A. I don't know; I never could understand it; I don't know how it was. Mr. Davis said that Mr. Haffa's friends killed them. I don't know. I think it very probable that they were killed—well, I don't know; I don't know anything about it. I won't volunteer an opinion.

PUBLIC OPINION ABOUT IT.

Q. There is some public opinion, is there not, in your neighborhood in regard to the killing of the negroes?—A. Yes, sir.

Q. Suppose you give us that.—A. There was a company of men came from down in the lower part of Hinds County, from that part of the county adjoining Copiah County, and it was said by the negroes that these men killed them.

Q. Do you know who these men were that came up from the neighborhood of Copiah?—A. No, sir; I didn't know anything of them at all.

Q. Were they understood to be white men?—A. Some of them, and some negroes.

Q. How large a force was it?—A. I did not see them at all. I went out to see them at Edwards depot as soon as I heard they were riding through the country, but when I got there they were gone; they had disbanded.

Q. What hour do you think they first appeared in your county?—A. They passed through Clinton quite early in the morning. A rumor had

gone down there where they came from that the negroes were killing the white people.

Q. Then they came up?—A. Yes, sir; at Edwards Depot every preparation was made, for three or four nights, for an attack from the negroes; they had sent everywhere to get help to defend the town.

AN IMPARTIAL WORLD WOULD NOT HAVE BLAMED THE WHITES IF THEY HAD PITCHED IN AND KILLED THE NEGRO MILITIA COMPANIES.

Q. What was done by the negroes?—A. They just got their guns and marched up within a very close distance of the depot and kept out their pickets during the night, and beat their drums down in the hollows; and if it had not been for men that had great influence there over the white men, and whose wise counsel prevailed, they would have pitched in and killed all of them, and an impartial world could not have blamed them much: but still, just at that time, knowing that any act on our part would seem to be an imposition on the negroes, and would be looked upon by the northern people with suspicion—we have tried to act always with an eye to their good will, ever since the war, sir; that has been my motto and my plan.

Q. From your military experience, let me ask you whether, if you had been in command of the negroes when they assembled near Raymond, and had intended assailing the town, should you have beaten drums and given warning beforehand?—A. Well, I don't know; that would depend on how many men I had. If I thought I had men enough to go right in, I would beat them pretty lively; but if I wanted to make a stealthy attack on the town, I would not do it.

Q. Is it not your opinion that the negroes were merely there for the amusement of the organization?—A. No, sir; there was no amusement about those times.

IT MADE THE WITNESS FEEL BAD TO SEE TEN OF HIS HANDS IN THE MILITIA.

Q. Were any of the negroes that work on your place in that crowd?—A. They told me not. I was not at home, was at Edwards' Depot, and the men out on my place told me they were not in that. I noticed this, though; that as soon as the State militia was organized. then they were bound to show themselves. There were about ten men belonging to it from my place, and those that I least expected would be against me, and they were right there with their guns on their shoulders; and it made me feel bad, too.

Q. You were deceived by them about it?—A. Yes, sir.

MAY POSSIBLY HAVE BEEN DECEIVED AS TO THEIR POLITICAL OPINIONS.

Q. Now, is it not possible that you have been deceived as to their political opinions?—A. That may be possible.

Q. You stated to the committee that if they were left to themselves they would all vote with you?—A. I did not say all of them; I said a good many of them would.

Q. Is it not just possible that you may be mistaken in that opinion?—A. The disaffection of ten out of forty or fifty—that would be perfectly satisfactory; if we could get one-half of them, anyhow, to be of a different political opinion from the other half, and could get one-half of the white people, we would be perfectly satisfied; any way, I know we would have better feeling in our country: and that is all we are endeavoring to work for in the future; not to have any party organized on a race-issue.

NEGROES DID NOT FEAR DISCHARGE IF THEY VOTED REPUBLICAN TICKET—"NO, SIR-EE:" "I WISH THEY DID."

Q. Did not the negroes in your neighborhood and upon your place

believe that if they were active in opposing you in politics they would be discharged from the work upon the place?—A. No, sir-ee; I wish they did feel so.

Q. Have you not given out in the country, in various ways, that negroes would be discharged who did not vote the democratic ticket?—A. Some of them tried that two or three years ago, but we found that it had rather the opposite effect, and made more of them go the other way than ever.

Q. Did you not do that last year?—A. Some few did—very few; but the negroes knew that they were not going to stick to it; the negroes knew that.

WITNESS THREATENED NOT TO MAKE ANOTHER CONTRACT WITH HIS HANDS IF THEY DID NOT VOTE DEMOCRATIC TICKET.

Q. Did you not do that yourself?—A. Yes, sir; I did. I said I was not going to make another contract with them.

Q. Does not that explain the representations made to you by the negroes on your plantation that they were willing to vote with you—fearing that you would turn them away?—A. Well, I had as much right to turn them away as any employer of labor has; but I did not do it in a threatening manner. I want it fully understood, and I should like when my testimony goes to the world that this point be clear: I said to them, "You have worked hard since the war and you have saved nothing. You have made only enough to pay your merchant for your food and clothing—that takes nearly everything that you make during the year, and I don't even get my land-rent half the time. My agents buy everything that you receive during the year; it is furnished by me; I am responsible for it. Now, hereafter I want it understood, and I want you to know it, there will not be the same inducement with me to furnish you these rations and keep you on the place; to keep you alive for another twelve months, when I know you are doing all you can to rob me of the little property I have by electing the class of men that you do to the legislature, and by placing upon us such exorbitant taxes;" and other things that I would bring to bear—several other arguments not necessary to be enumerated, as it would take too long a time; but it was as to the accommodation I would extend to them in the future. The negroes knew that a majority of the white people would not live up to it, though; they knew that, and they did not pay any attention to it, and it had the effect to make more of them vote the other way than they otherwise would have done.

A DEMOCRATIC COLORED BARBER TURNED OUT OF CHURCH.

Q. Have any of the negroes ever attempted to influence your vote, or suggested to you in language direct, or circuitous and involved, that if you did not vote the republican ticket they should leave your place?—A. No, sir, not directly to me; but I know men that they have done it to, lots of them. I know a barber there—to show you the way they do things—that they turned out of their church. His patronage came from the white people, the democrats, and he voted the democratic ticket, and had ever since the war. They turned him out of the church, and would not have anything to do with him, and told him that he could not go inside of the church. I know several other instances of that kind, and I might enumerate lots of them if I just taxed my memory to think of them.

NEGRO ATTACKS ON WHITE MEN.

Q. Have the negroes ever attacked the white people, that you know of?—A. They attacked them at Clinton, I understand.

Q. Well, we have heard about that; any other case?—A. They

marched thirty miles to Vicksburgh, and made an attack upon the town—a very weak one, though.

Q. Any other case?—A. No, sir; but I know of a case just above Vicksburgh that would have been the scene of a fight, if it had not been for myself. I believe that if I had not done what I did, they would have made an attack upon the whites there.

Q. What place was that?—A. In Warren County; it would take a long time to tell you about that, and I don't care to undertake it; but I know they were ready to attack us, and I surrendered myself to one of their scouts, and had him carry me right into their camp.

Q. On the road where you live there were only you and one other white man?—A. Yes, sir; on the public road.

Q. And seventy negroes?—A. Seventy negroes to work this piece of road.

Q. Have these seventy negroes molested either you or your associate white man in any unlawful manner?—A. No, sir; not openly.

WHITE MEN THREATENED.

Q. Have they threatened you with any harm?—A. Yes, sir.

Q. In what way?—A. There were threats around those times when the excitement would come up, that the negroes were going to commence killing, and kill out all the white people.

"WE NEVER COULD GET AT THE MAN."

Q. Who said that?—A. Well, the truth of it is, we never could get at the man; it would be denied every time.

Q. How did you hear it?—A. The cooks and washerwomen and others around the house would come in and tell it to the children and ladies; that was the way it would always reach our ears.

Q. Have these seventy men ever interfered with or disturbed your family?—A. No; except they organized their companies and drilled there at night, and beat their drums around.

DON'T KNOW WHETHER NEGRO COMPANIES WERE NOT MERELY POLITICAL ORGANIZATIONS.

Q. Now, were not these companies merely political organizations; merely a way of electioneering among themselves?—A. Well, I don't know; we have no means of finding out, sir, in the world; we are just as much kept out of these meetings—they have guards and pickets to keep a man out just as much as any military command you ever saw. I know I have tried as hard as any man to find what was going on. We don't know; that is the difficulty. If it was all in the day-time—if they would get together and have their meetings in the day-time, or if any white man were allowed to go in there and hear what they were saying and doing, we would be satisfied. If we thought they were merely political organizations, of course, we could not object to that.

POLITICAL MEETINGS AFTER CLINTON.

Q. Did you attend any of their political meetings where there was a joint debate, after the Clinton meeting?—A. I never did.

Q. Did the republicans hold any meetings of their own in Hinds County where there were public speeches after that?—A. I don't know of any. There was some public speaking at Edwards Depot. The democrats had a barbecue there, and invited republican speakers there, and I heard two or three republicans at Edwards Depot speaking.

Q. Who were they?—A. William Graham, a member of the board of supervisors, and a republican, a negro, and there were two others spoke at the time.

Q. How many democratic meetings did you attend in the county?—A. That at Edwards' Depot and one at Utica. These were the only two that I ever attended.

Q. Were there any armed men at these meetings?—A. It is customary in that country for a man to carry his pistol, and it was so particularly after the Clinton riot, and every one went with his pistol; I saw no man with a gun.

Q. So far as you know there were no republican meetings in the county after the Clinton riot?—A. Well, sir, I would not say that, for I don't know it to be a fact. They had a meeting at Edwards Depot, and I think there were other meetings where there were three or four hundred present, but there was no big barbecues.

Q. Was there any public speaking except at this meeting where the democrats met and invited the republicans?—A. Yes, sir; Captain Fisher made a speech at Edwards Depot the day before the election. I was present myself, and 40 or 50 white men were present; a good many more than there were at Clinton.

WHY HAFFA WAS KILLED.

By Mr. CAMERON:

Q. Is it understood in your neighborhood where you reside that Haffa was at the Clinton riot?—A. I don't know, sir; I never heard anything about it, whether he was there; but I don't think he was, though.

Q. How do you account for his being killed?—A. It was said that Haffa sent this squad of negroes—so reported, I suppose, by these men that justified the act of Haffa being killed by white men in that neighborhood. If you will notice upon examination of the testimony taken upon the inquiry into the Clinton riot, addressed to General George, one Pleasants Thomas, I believe, says that Haffa was the man who sent the squad of negroes to Clinton and told them to go armed, that they were going to have a fight. That is all I know about it; that is what I saw in the public print.

Q. The supposition is that he was killed for giving that advice?—A. I know nothing about it except just what I saw in the public print about Haffa's killing.

HAFFA'S MURDER REGRETTED VERY MUCH, AND IT WAS A GODSEND.

Q. Was there any public opinion in the country in regard to it?—A. Well, I don't think—I don't know how to answer that question, to tell you the truth. There is a public opinion, of course. The affair was very much regretted by those who lived in my neighborhood, and those who were interested in the political results of Haffa's death; they regretted it very much, but the neighbors around Haffa, I never heard any of them regret his being taken out of their midst; but, on the other hand, all of them thought it was a godsend to their neighborhood. There is a public opinion that regrets his death very much, and the killing of him at that time.

Q. Was his killing investigated judicially in any way that you know of?—A. Yes, sir; it was reported to the grand jury and there were a good many witnesses summoned up there, but the grand jury did not do anything with the case, though; they could not find out enough to bring in a true bill against any particular parties.

By Mr. BAYARD:

Q. Among what class of people was Haffa's death approved?—A. He lived among a class of men that were not a very intelligent class anyway, not the very best of people, and it was approved by that class.

Q. How in regard to the colored people there?—A. Well, sir, it was heartily approved by all that I have heard express themselves.

HOW WITNESS WENT INTO A NEGRO CAMP NEAR VICKSBURGH.

Q. You spoke just now, in reply to a question from Mr. Boutwell, of your surrendering yourself to some scouts and being taken to their camp; just state that occurrence.—A. It will take me a great while to state it. Well, sir, during the summer of 1874 the negroes organized themselves into military companies for the purpose of going to Vicksburgh on the day of the election. I understood from the negroes themselves, at the time that I was in their camp, that they were ordered by their leaders in Vicksburgh to go there armed and equipped on the day of election, for the purpose of carrying the election by storm.

Q. The city election at Vicksburgh?—A. Yes, sir; the city election at Vicksburgh. These negroes, eleven miles in the country, organized themselves, and from their continual drilling at night with their guns—we could see their guns in their hands at night while they were drilling, directly across the Big Black—I live on one side of the Big Black and the Batchelders live on the other, and it is a dense swamp there, almost impassable; but one of them came through and asked us—they had organized themselves into a company and Batchelder was in command of fifteen white men in that neighborhood. This was a secret organization, and that they did not wish the negroes to know that they had this organization. He came over to my side of the river and asked me to try to get up a company of men; that I would simply try to get the neighbors to have some signal by which they could come to their assistance if the negroes should attempt to make an attack.

The excitement was very high, and these Warren County people came over into our county and asked that they might send some men in there the night before the election, and let them hide themselves in the swamp, so that if the negroes started to make an attack on them or to go to Vicksburgh, they might have some force there to prevent them, as they, the men who were then there, were only fifteen among five hundred or perhaps one thousand.

They were naturally suspicious of the negroes, as they were in there getting arms every day. It was said that the negroes were going to commence killing on that morning and kill everything from the cradle up; that was the common word among the negroes to send to the whites whenever they would get up a little excitement. I suppose it is done by those who cannot appreciate the meaning of it.

At any rate one Captain Cobb came there into this swamp with some thirty or forty men on the day before the election at Vicksburgh. The negroes seemed to be very much incensed on our side of the river, that white men should come there, and they sent out negroes to make inquiries, and they came to me and wanted to know what it meant, and wanted to know if there was any danger. At the same time these negroes were organized into companies. I told them that if they would send a man with me I would go to Baldwin's Ferry and see Captain Cobb, and see what he was going to do. I told them that I did not approve of his being in that part of the country.

So they chose their delegate and sent him along with me to see Cobb; and he told me plainly that he came there to protect all peaceable, quiet negroes; that there were those who did not want to hurt the whites, and he knew it, and that he came there to protect that class from being forced into the ranks of this military organization; and to defend the whites against the encroachments of these military companies. The negro seemed to be well satisfied and went back home. I staid at home all that

night. I felt apprehension, though I staid at the house, because of the signal-guns at Vicksburgh which were fired just at dusk, and we could trace them around in the neighborhood on each plantation. They were firing these signal guns in and around Vicksburgh, and they were answered by guns on the plantations; and their military companies crossed the river. When the election was over, it having gone democratic, I thought maybe the negroes would be perfectly contented, and that their officers would not want to order them into town. I went into Warren County.

In the mean time I had cut me a trail there through this swamp in the cane-brake, and as I was fording the river—it was about saddle-girth deep; I started by myself the next morning after breakfast—I heard some one on the bank, and I looked and I saw a negro boy, the same one that was with me the day before, and he says, "Captain, I want to go with you." I said to him, "All right." I had my gun, and, by the way, I had about forty rounds of buckshot-cartridges with me. We crossed the river and went up through the trail I had cut to Batcheldor's house. On arriving there I found that the white ladies of the neighborhood had assembled, and that they were in a great state of excitement—terribly excited. I could see around the house armed negroes, negroes with their guns, lying about under the trees, some seventy-five or eighty, I suppose.

As we came up they slapped their hands and asked me where my company was; they thought that I had organized a company, and they heard I was coming and gathered together there. I told them I had no company. They said they had been expecting me for some time; that I had come just in time to see them murdered; that if I would ride up to the top of the hill I could see what was going on. I rode up to the top of the hill, and I saw about two hundred negroes drilling with their guns in their hands. All of these facts are notorious.

I asked the ladies where their men were, and they told me that Cobb had sent for them at 2 o'clock the night before—these men had crossed the river, and were down in the swamp; and that the negroes were organized all over the county, and would attack him the next morning.

I told them that I would apprise Cobb of the situation—what was going on—as soon as I could; and that I would have to go back and swim the river in order to get to where he was.

I rode off, and just as I left the top of the hill I saw a negro ride off. He had his gun, and he started toward Bovina, a little town that lay back behind us; and he had to cross my trail going up through the swamp. I started down toward this trail and got into it, and when the negro came up I drew up my gun at him, and asked him where he was going. He did not seem to want me to know. I said, "You are going after help, are you?" He says, "Yes, sir." Said I, "What is going on up there at Hickory Tree?"—there was an old hickory tree in the middle of a 2,000-acre field—and he said, "They are going to have a fight up there; I don't want them to fight, but I cannot help it; I have done all I can to keep them from it."

I asked him then if he could not go with me up there to see these negroes and bring me back safely. He said that he thought he could. I told him that I did not want any doubt about it; I wanted to be very certain that he could bring me back safely; and he says, "Well, sir, I can."

I then handed him my shot-gun and ammunition; and I says, "Bring me to them just as soon as you can;" and he did so.

I was halted about 200 yards from the tree, or rather he was halted; and he told them that there was a white man coming in there to try to

make terms with them, and they let me in; and of all the hard work that a man ever had in the world, I had it to get these negroes to scatter and go away from there. I succeeded at last in doing it.

I found out afterward that if these negroes had not brought on an attack themselves, the white men would have attacked them that evening.

Q. How many were there in this camp?—A. There was only 200; but in one of my arguments to this officer I says, "If you will fight, and are going to fight, for goodness sake get a good place, and get all the force that you can get, and not undertake to fight in this field with only 200 men; you will be killed the first thing." Said he, "Don't you interest yourself about me; I have got 800 men within hearing-distance of me."

Q. Who was this?—A. It was Andrew Owen, commander of the nigger company, who was afterward captured at Vicksburgh.

His lieutenant said to me, "Yes, sir; we were ordered to go to Vicksburgh, and we were going if we had not received orders not to go. We got orders that we should not go there; if we had not received these orders, before night I would have been there with my gun in one hand, an coal-oil can in the other, and a box of matches in my pocket."

He could say all he pleased, as I was the only white man present, and he was there among his race, and they were well equipped. It surprised me where they got all those guns and that ammunition.

After talking with them for about two hours, trying to get them to scatter, I then tried the bluff game with them, and I succeeded in scattering them at last by that.

I said, "Where did come from? I came from that swamp, and you don't know how many men I have got there; you don't know but I have a thousand men. You don't know how many are at Baldwin's Ferry and at Vicksburgh," &c. And I made them suppose that I was very anxious for their welfare, and did not want to see them hurt; and by that means I got them to scatter and go to their homes.

I sent to where Cobb was, and told him what I had done; and of course there was some of the men censured me for getting them to scatter; some of them were for having a fight. But they agreed to ride through the country there, and show them how many men they had, and keep them from coming out in the future; and they did ride up through there, and display their force; and that was the last of it, until December, when they attempted to go into Vicksburgh.

THE WHITE MEN KILLED AT CLINTON.

Q. What was the character and reputation of the white men who were killed at Clinton, beginning with this man Chilton?—A. Chilton was one of the first men of the town; quiet, peaceable, inoffensive, and was taking no hand in politics—had not up to that time. Thompson I knew but little of; he was a young lawyer in the county, the son of a Methodist minister. I had never been introduced to him, but I knew him by sight; had seen him in the court-room once or twice, and I thought he was a man of considerable promise. The family stood well, and he seemed to be beloved by his friends and neighbors.

Q. What about Sivley?—A. He was a man that was respected by every man in Hinds County that knew him. He was a young man, and he had been, I reckon, a little wild in his younger days. He had just grown up from a boy; he was only about 22 or 23 when he was killed, and he was loved through the county as much as any man in it, I reckon. He was deputy sheriff for a long time, and knew a great many.

WELBORNE IS A TERRIBLE RASCAL.

Q. Do you know a man named Welborne there?—A. I do, very well.

Q. What manner of man is he?—A. Well, sir, I don't hardly know what to say. There is no doubt that he is a terrible rascal; he has killed two or three white men there and broke open two or three stores; but we had a grand jury that would do nothing with him. He was indicted two or three times, but they would do nothing with him—let him off—a bad man, sir.

Q. What white men did he kill?—A. I said two or three; he only killed one white man that I know of. He killed him right in Dunton's store, on the corner at Clinton. I was there when he killed him; his name was Scales. It was a very brutal murder.

Q. Do you know of his having had a difficulty with Sivley at any time?—A. No, sir; I don't know of any—yes, sir, I do; but it has been so long since it happened that I have forgotton the circumstances. I know that Sivley at one time—Sivley and two or three others in Clinton had some difficulty with the negroes there, and the negroes turned out *en masse* to catch him, and Welborne was leading the crowd; but he came back in about a week after, Sivley did, and it was all over, and he was never arrested. I know nothing of the particular circumstances at all.

Q. Did you see Welborne at the Clinton riot?—A. Yes, sir.

Q. What part was he taking in it?—A. I did not see him in the fight; I saw him in town before the thing happened. I did not see him doing anything. I never saw him but once at all that day. I know he took part in it, however, and I went in the direction of his house with these twenty-five men that I had, and I went right for him as the first man; and he told me afterward that he lay right on the side of the road within ten steps from us. Whether that is true or not I don't know.

By Mr. CAMERON:

Q. Were you present at the time Welborne killed the white man in the store?—A. No, sir; I was not immediately there. I was renting the store from Mr. Dunton at the time; was proprietor of it at the time he was killed.

Q. Personally you don't know of any of the facts of the killing?—A. No, sir; though just as well as a man could know without looking at it with his own eyes. My brother was standing right by when he killed him.

By Mr. MCDONALD:

Q. How far was Mr. Sivley's body found from where the riot commenced?—A. About 250 yards, I suppose.

Q. In what direction?—A. Right out in an old field—in Mr. Rice's field—going toward the depot.

Q. In the direction of the depot?—A. Yes, sir.

Q. How far was Tompson found from the place where the riot commenced?—A. About one mile and a quarter, I suppose; maybe a mile.

Q. Did you see him when he was found?—A. Yes, sir.

Q. You spoke of his being shot through the head: did you notice whether the ball entered his head?—A. Yes, sir; he was shot directly in the forehead.

S. G. CARADINE—HOLMES COUNTY.

JACKSON, MISS., *June* 15, 1876.

S. G. CARADINE sworn and examined.

PERSONAL RECORD.

By Mr. BAYARD:

Question. Where do you live?—Answer. In Holmes County.

Q. Near what town or place?—A. Lexington is the county-seat; I live right down in the swamp.

Q. How far from Lexington do you live?—A. Twenty-seven miles, I believe.

Q. How long have you resided there?—A. I have been living there ever since the war.

Q. Where were you born?—A. In Yazoo.

Q. Were you there during the last canvass—during 1865?—A. I was.

Q. Did you hold an office?—A. At that time, no, sir.

Q. Were you elected in 1875 to any office?—A. Yes, sir; magistrate. I am still magistrate of district No. 4, Holmes County.

Q. The justice of the peace?—A. Yes, sir.

QUIET AND PEACEABLE CANVASS AND ELECTION.

Q. Have you any information concerning any disturbance during the election?—A. Nothing; no, sir; nothing at all. I was there all the time during the day of the election.

Q. You resided in the county during the canvass?—A. Yes, sir.

Q. What was the character of the canvass as to peace and order?—A. There was no disturbance. Never heard of any in my beat.

Q. What was the character of the election on the day of the election?—A. Quiet and peaceable.

Q. Did you witness, or have you any knowledge of, any case of violent intimidation?—A. None whatever, sir. Everybody was permitted to vote just as they pleased.

COMPLEXION OF THE VOTE.

Q. Do you know what was the character of the vote in your district? I mean as to the complexion of the voters.—A. I don't know if I am correct in the numbers. I think the registry there shows about 54 or 56 white, somewhere in that neighborhood, and over 400 colored.

RESULT OF THE ELECTION.

Q. What was the result of the election?—A. The election was carried by the democrats, the majority ranging from 37 to 43.

BLACK DEMOCRATS.

Q. Did any number of the black people vote the democratic ticket?—A. Yes, sir.

Q. How many?—A. Well, a good many, although I could not hardly say. The colored people there—there were a number of colored people who belonged to the club.

Q. Members of the democratic club?—A. Yes, sir.

Q. Do you belong?—A. I am president of the club.

Q. What was it called?—A. The V. Lake Democratic Conservative Club.

Q. Does that club contain a hundred members?—A. Yes, sir; fully—more.

Q. Were efforts made to prevent the colored people from voting the democratic ticket on that occasion; and if so, by whom?—A. I don't

think there was, I never heard anybody. But everybody voted just as they pleased.

Q. The colored men there voted the democratic ticket and joined your club and acted with you politically?—A. Yes, sir.

Q. Then they were allowed freely to join it?—A. Yes, sir.

Q. And they did so?—A. Yes, sir.

NO INTIMIDATION OR VIOLENCE WHATEVER.

Q. I understand you to say that you knew of or saw no act of intimidation or violence throughout the canvass?—A. No, sir; none whatever.

Q. Any disturbance on the day of the election?—A, No, sir. One gentleman from Lexington that was down there got to be a little intoxicated. In this State they have a new officer called a peace-officer of the election, appointed by—I don't know whom; he arrested him and kept him under arrest, and that was all the disturbance I saw.

ABOUT YAZOO COUNTY.

By the CHAIRMAN:

Q. When did you leave Yazoo County and take up your residence in Holmes County?—A. Well, sir, I was born in Yazoo in 1843, and I have lived in that State exclusively, with the exception of serving in the army, and after I came out of the army I purchased this place in Holmes County, only five miles from where I was born; the county line runs near.

Q. Are you acquainted in Yazoo County still?—A. Yes, sir.

Q. Were you there during the last year?—A. Yes, sir; often. Yazoo is closer to me than Lexington; I do most of my trading there.

Q. How were matters in Yazoo County in regard to peace and order during the election?—A. I don't know. I am not even interested in that county myself.

Q. Did you see anything in the nature of disturbance when you were over there?—A. Never.

Q. How frequently were you there in September and October last year?—A. I was there on the 21st day of October, the day we made our nomination for these county officers. I was not there again until the 13th or 14th, at a grand barbecue they gave after the election.

Q. Have you friends living in Yazoo that you saw when you went up there?—A. Yes, sir.

Q. Did you hear of any disturbances—did they ever speak to you of there being any disturbance in Yazoo County?—A. I could not say now.

Q. You did not hear any that you recollect now?—A. I know there was a good deal of excitement, but whether called to my attention at the time I would not say.

Q. As between Yazoo and Holmes County, which was the most peaceable during the canvass?—A. I know that there was nothing in Holmes County; everything as quiet as anything could be in the part in which I was.

Q. You did not go to Lexington often?—A. No, sir; not once a year.

Q. You know more of Yazoo, then, than you do of Holmes?—A. Yes, sir.

A DEMOCRATIC CLUB OF BOTH BLACK AND WHITE GENTLEMEN.

Q. Did you say you were president of this club of colored men, the democratic club of both black and white gentlemen?—A. Yes, sir.

Q. About a hundred of them?—A. Yes, sir.

Q. How many of those were colored men, and how many of both races?—A. I suppose over a hundred colored men.

Q. How many white men?—A. I don't know; most every white man down there belongs to it.

Q. When was this club organized?—A. It was organized in September, 1875.

Q. When did the colored men begin to join?—A. Some joined the very first day of its organization.

Q. Were they men who had previously acted with the republican party?—A. Some of them.

NUMBER OF WHITE AND COLORED VOTERS IN HIS BEAT.

Q. How many colored men did you say voted in your beat?—A. I do not recollect; I don't know. I think over four hundred, though.

Q. How many white voters?—A. Fifty-four or fifty-six; somewhere in that neighborhood. The number is very small.

DEMOCRATS CARRIED THE ELECTION.

Q. Which ticket do the larger number poll in that beat—which party carry?—A. By the democrats.

Q. How many votes were there altogether?—A. I don't know. I think something like three hundred—over three hundred. The democrats had about forty majority; from thirty-seven to forty-three.

Q. Were you an officer of the election?—A. No, sir.

REPUBLICAN AND DEMOCRATIC MEETINGS DURING THE CANVASS.

Q. Were any democratic meetings held in your beat or precinct during the canvass?—A. Yes, sir.

Q. How many?—A. We used to meet about two days in a month.

Q. When did you commence meeting during the canvass?—A. We organized, as I said a while ago, and kept up our organization.

Q. Were there any republican meetings held in your beat?—A. Yes, sir.

Q. How many?—A. I don't know. I know republican meetings were held there, but how many I could not say.

NAMES OF COLORED DEMOCRATS.

Q. Give the names of some of the prominent colored men who are members of the democratic club in your beat.—A. Well, I don't know very many prominent names; I can give you the names of a great many not prominent men.

Q. Some were more prominent than others; give the names of some of the more prominent.—A. There was a man by the name of John G. Marshall who is well educated; he has taken an active part there in politics, and I reckon he voted the democratic ticket. I don't recollect. I can give a long list of names, but none very prominent. It is difficult to recall now any of more prominence than the rest.

Q. Mention some of them.—A. A man by the name of Wash Brooks; he is a colored man and belongs to the club.

Q. Who else?—A. Anderson Cox. I don't know who else now.

Q. You stated you could give the names of a great many?—A. Yes, sir.

Q. Give the names of some more.—A. There is Ed. Quarrells and Wash Thurman, Ike Fisher, Harry Harper, Wash Scrivens, Joshua Thomas.

Q. What is the business of this John G. Marshall?—A. He is a farmer there.

Q. A planter there; does he own land himself?—A. No, sir.

Q. Whose land is he working?—A. He has rented the place from a man in Attala County; a man named Jones, I think, the property belongs to, and he has rented it for this man.

Q. Do you know whether this man Jones is a republican or democrat?—A. I don't know his politics; I don't know him when I see him.

Q. Did you ever understand what his politics were?—A. No, sir.

Q. Is he a white man?—A. I suppose so, sir.

Q. What is the business of Wash Brooks?—A. Planting.

Q. Does he own land himself?—A. He has land that he works, from Robert Fisher.

Q. Where does Robert Fisher live?—A. Within five miles.

Q. Is he a white man and democrat?—A. I believe he is.

Q. And Quarrells, where does he live?—A. In Okolona plantation. He works, I believe, there, for a share of the crop.

Q. Who is the man that he is working for?—A. I think, a man by the name of Miles.

Q. Is he a white man and democrat?—A. Yes, sir.

Q. What is the business of Wash Thurman?—A. He lives at the same place, I think.

Q. With the last man, which is on Miles's land?—A. Yes, sir.

Q. And Ike Fisher?—A. He lives at the same place; he is a blacksmith and runs the engine.

Q. On Miles's place?—A. Yes, sir.

Q. What is Harry Harper?—A. He lives in a place called Good Hope.

Q. And Wash Scrivens?—A. He lives in the swamps.

Q. Who does he work for?—A. For me. Joshua Thomas on V. Lake, with Mr. Tucker.

Q. Is Mr. Tucker a white man and democrat?—A. Yes, sir.

Q. How many of these acted with the democratic party prior to the last fall—men you named?—A. I could not say as to that.

Q. Do you know whether any of them did or not?—A. Yes, sir.

Q. Which one did?—A. Wash Brooks did, I know, for one, before that; I would not say, I could not remember how they voted.

H. W. WARREN—HOLMES COUNTY.

WASHINGTON, *July* 20, 1876

HENRY W. WARREN sworn and examined.

PERSONAL AND OFFICIAL RECORD.

By Mr. CAMERON:

Question. Where is your present place of residence?—Answer. I am a registered voter of Holmes County, Mississippi; I have not been there since the election; I passed through, but I have not been at the county-seat.

Q. What town in Holmes County?—A. Lexington.

Q. Of what State are you a native?—A. Massachusetts.

Q. When did you come to the State of Mississippi to reside?—A. Ten years ago last March.

Q. When did you first take up your residence in Holmes County?—A. It has been something more than a year ago—fifteen months altogether.

Q. Where did you reside in Mississippi prior to the time you took up

your residence in Holmes County?—A. For nine years I lived in Leake County.

Q. You may state what offices, if any, you have held in Mississippi, and by whom, as you understand the facts, you were elected to those several offices; you can begin and go through with the list of offices.—A. I think the first office I held in Mississippi was that of probate judge, under appointment of General Ames as commanding general of the department.

Q. When were you appointed to this office?—A. In 1867, in the spring, or in the fall of 1866; I cannot remember certainly.

Q. Of what county were you probate judge?—A. Leake County. I was elected a member of the constitutional convention of the State in the fall of 1867 by the citizens of Leake County. Leake County is a white county, as we term them in the State. There are two white voters to one colored voter. I was afterward elected from the same county as a member of the legislature under the new constitution. I was elected by the legislature of 1871—January, 1871, I think—elected speaker of the house of representatives. The democratic members of the house, with one exception, all voted for me as speaker of that house.

Q. Elected in what year?—A. It was in the fall of 1869. I think the legislature commenced its session in 1870 for two years; subsequent to 1871 I was chief clerk of the house of representatives; the last time I was elected there were seven votes against me in the whole house.

Q. How many democrats were there who were members of the house at that time?—A. I think in that legislature the republicans had a majority of 15 in a house of 115 or 116 perhaps.

Q. Have you held any other offices?—A. At the present time, I am the State Centennial commissioner from the State under appointment by Judge Stone, who was president of the senate just before he became governor of the State. I do not think of any other office, except that of trustee of some institutions there. There is another position I have held for three years—that of levee commissioner of the liquidating levee board.

Q. For what levee district, or is it a State office?—A. It was a district embracing all the counties of the levee district. It was created before the war, and since the war the board went into liquidation. I was commissioner on the old liquidating levee board before it was abolished.

REPUBLICANS DARE NOT HOLD LARGE MEETINGS, AND WHY.

Q. Where were you in the political canvass of 1875?—A. In the State of Mississippi; in Holmes County.

Q. This committee is charged with the duty of inquiring into the election held in Mississippi in 1875. It has been charged that the election was carried by force, fraud, and intimidation, and the committee is now inquiring in regard to these matters. You may state what knowledge you have of the manner in which the canvass was conducted in Holmes County, or in any other parts of the State.—A. I was chairman of the republican executive committee in Holmes County, and knew somewhat of matters that were transpiring there in regard to the canvass. We did not pretend to hold large meetings as in some previous elections in the State. We did not dare to hold meetings, because we were afraid they would be broken up; the situation of affairs was such.

Q. Broken up by whom?—A. By our political opponents. The only large gathering we had during the campaign was that at which our

ticket was nominated. When the ticket was nominated, we had on the ground at that meeting republican voters enough, I think, if they had voted at the election in November, to have carried that county for the republicans. At that time the condition of affairs had become such that we did not dare to hold any large meetings at all. We organized our party as quietly as possible; held club-meetings in different parts of the county. I had some personal experience; if desirable, I suppose I might relate it.

WITNESS WARNED TO LEAVE—"IT IS GOING TO BE HOT FOR YOU HERE."

Q. You can go on and relate it.—A. Two weeks before the election, on Monday, I was at the county-seat, at the court-house, in the morning; I was at the west-south entrance to the court-house, and a man came to me and said he would like to speak with me. I turned and followed him to the east entrance of the court-house. Two other men accompanied him as we passed round to the east entrance. When we reached the door of the east entrance, the man's manner changed entirely, and in a very abrupt way he said, "Warren, are you a citizen of this county?" I said, "Yes; I am a citizen of this county." He said, "No; you are not, sir; and you had better go away from here. You have been here circulating your lying documents long enough, and you had better go away." I replied, "I think you are mistaken, sir." He says, "No; I am not mistaken; it is going to be too hot for you here, and the sooner you go away the better; I mean what I say, sir." One of the other men who accompanied him said, "Yes; we mean what we say." I stood there quietly with one hand in my pocket, watching for further demonstrations, but that was all that was said to me, and nothing was done.

Q. Were these white men and democrats?—A. Yes, sir.

Mr. McDONALD. Just give their names, if you please.—A. I would prefer not to give their names, but if necessary I will do so.

Q. Yes; it is necessary.—A. The man who did the talking, his name was Ashcraft; his son was the candidate for the office of circuit clerk of the county. The other two men were Mr. Walton, and Mr. Alexander, a constable of the town. They left me standing there and I remained, and they left me.

Q. Can you mention their given names?—A. I think John Alexander, and I think William Walton; they call him Bill; I don't know the given name of Mr. Ashcraft; his son was candidate for circuit clerk.

About a half an hour after this occurrence one of the prominent lawyers of the town came to me and said, "Mr. Warren, I have——

Mr. McDONALD. When these acts are detailed we must have the names of the parties; of course, when the circumstances are given I will have to have the names also.

A SECOND BUT A FRIENDLY WARNING.

A. Colonel Anderson was the lawyer. He came to me and said he had just heard what had occurred in the hall below. The court was just about assembling that day, and he regretted very much to hear it, but from a conversation he had had with those whom he believed to be well posted on the condition of affairs there, he would advise me to leave for a little while. I told him I was very much obliged to him for his advice; I believed he was a friend to me, but I was not going to leave; I had violated no law, and had no reason to leave. He said he simply gave the advice as a friend, and I myself must act as I saw fit. I told him I was not going to leave. That was substantially what occurred at that time.

WITNESS ASKS TO BE EXCUSED FROM TESTIFYING TO HIS OWN PERSONAL EXPERIENCE.

Q. If you had any other experience you may state it.—A. I did finally leave the county, but it would be necessary for me to go into details to give the circumstances in connection with it. I desire to state to this committee that I would rather not give the names of the parties in connection with this next affair.

Mr. McDONALD. I do not see how we can very well get along without having the names.

The WITNESS. I have property in Mississippi, and I am going back there, and I would rather be excused from giving the names of parties whom I will be constantly meeting.

Mr. McDONALD. It is necessary for us to verify, so far as we can, these statements, and we cannot do so from the testimony unless the names are given. We may desire to summon witnesses here to make explanations.

The WITNESS. This committee has been in Mississippi, and they understand the condition of affairs there.

Mr. McDONALD. We have in all instances, where circumstances were detailed, had the persons as well as the circumstances given. I don't know of an exception.

Mr. CAMERON. That was the rule; there might have been some exception. I don't remember whether there was or not. If you are of the opinion that you will suffer in person or property in detailing the circumstances which induced you to leave, so far as I am concerned, I do not ask you to testify in regard to it.

A. If American citizens are not to have any better protection in future than they have had in the past I should prefer not to speak; I should like to be excused in regard to testifying to my own personal experience, but, of course, it is for the committee to decide.

HE IS NOT EXCUSED.

Mr. McDONALD. Suppose we try to have a full meeting of the committee. I would not like to take the responsibility of excluding his testimony, and I cannot very well withdraw the objection.

Mr. CAMERON. We will have to defer the matter until we can have a full meeting of the committee.

The WITNESS. I am very anxious not to be delayed, and would like to get through with this as soon as possible. I have been through one campaign, and suppose I can go through another.

Mr. CAMERON. Then you can go on and give the names of the parties.—A. Just a week before the election I started for New Orleans to get the tickets printed—the republican tickets printed for Holmes County. I left Lexington in company with Mr. Holmes, the chancery clerk of the county, and a republican, about 3 o'clock in the afternoon. Mr. Holmes was going to Durant to remain while I was absent in New Orleans; to remain with Mr. Lovering, the owner of a large plantation two miles from Durant.

Q. Is Durant in Holmes County?—A. Yes, sir; it is a station on the railroad; on the Mississippi Central Railroad. Mr. Holmes was going there because he did not think it safe to remain in Lexington, and he preferred to be away.

By Mr. McDONALD:

Q. Where is Durant?—A. It is a station on the Mississippi Central Railroad.

A PEACE COMPANY IN UNIFORM ARMED WITH WINCHESTER RIFLES: THEY FOLLOW WITNESS.

There was a company of men drilling in Lexington that afternoon. They were called a peace company, and were armed with Winchester rifles, and had uniforms. We learned afterward that members of that company followed us out. We, however, rode rapidly. We anticipated that something of that kind might occur, and we went by by-roads to the house of Mr. Lovering; so no one overtook us. I left Mr. Holmes at Mr. Lovering's, and took a train for New Orleans. I returned from New Orleans the following Friday; I reached Durant Friday morning. I left my sleeping-berth at Goodman, and went through the cars to see if any friends were on board the train there from Lexington. I had a large bundle of tickets, 10,000, and they were very heavy. My horse was at Durant, and I could not conveniently carry them to Lovering's on horseback. I went through the cars to see if there was any one who might render me assistance. I found two men from Lexington who were taking an active part in the campaign. One of them was Mr. Walton, who was one of three men at Lexington the week previous, and one of them was a Mr. Gwin.

Q. What is his first name?—A. I think it is J. E. Gwin, the only lawyer there of that name. When I got out of the cars, Mr. Gwin walked with me part of the way to the hotel, watching my bundle very closely. I think he made up his mind what there was in the bundle.

Q. You got out of the cars at what place?—A. At the depot at Durant. At the entrance of the hotel, I found three colored men; one of them was Jourdan Weatherby, one of the republican candidates for the legislature. I gave them the bundle of tickets, and told them I thought an effort was going to be made to get the tickets; that I could not carry them to Lovering's on horseback, and I wanted them to get them away from there; and that if they could not get them away and protect them, to get others, and let no one get the tickets away from them. They took them and went across into the town, and soon disappeared behind the stores and across the common. They had not been gone perhaps ten minutes, before two men got on their horses and went in the same direction, and after a half an hour returned. I remained about the town until after breakfast. There seemed to be a good deal of excitement that morning. Men were talking in different knots; I did not know what the cause of the excitement was, but I saw a good many parties in town that I had not seen there before—some men from Lexington. After breakfast, after the parties had disappeared from about the hotel, I got on my horse and rode out to Mr. Lovering's. I found there Mr. Gwin and Mr. Wilson, the democratic candidate for district attorney for the district. Mr. Gwin was in the room with Mr. Holmes.

A COMPROMISE WANTED.

He was trying to make some arrangement with Mr. Holmes by which (Mr. Holmes was a member of our executive committee) the ticket of the county might be divided, and made one-half democratic and one-half republican. He told Mr. Holmes that if a ticket of that kind could be arranged there would be a quiet election in that county. Mr. Holmes was not disposed to make any arrangement with him.

THE DEMOCRATIC CANDIDATE FOR SHERIFF IS "DISPOSED" TO INSURE A QUIET ELECTION IF REPUBLICAN CANDIDATE IS WITHDRAWN.

He had told me the day previous of a conversation he had with Mr. Hoskins, the democratic candidate for sheriff of the county, and that Mr. Hoskins was disposed to insure a quiet election in the county if we

would place him on our ticket, and take off our candidate for sheriff. Mr. Holmes had made no arrangement of that kind, and desired to consult with other persons of the executive committee. No definite arrangement had been entered into.

SQUAD OF ARMED MEN AFTER THE REPUBLICAN TICKETS.

Soon after entering the room, knowing and seeing their conversation, I desired that Mr. Holmes should be acquainted with what had been transpiring, and I excused myself to the gentlemen, and called him out, and we went back of the house at the side of the fence; at the rear of the house the woods came down near the house, and we commenced talking, when Mr. Lovering came out and said the gentlemen had left, saying they would return at 1 o'clock. About that time a colored man came out of the woods, and told me that some colored men in the woods desired to see me. I went out into the woods with Mr. Lovering, and just before we went Mr. Lovering sent this colored man to the back side of the woods to watch that no parties should come in from that way to interrupt us. When we got to the woods Jourdon Weatherby and some colored men—I don't know their names, three or four—told us the tickets were in Lexington. He said he saw Mr. Gwin and Mr. Walton riding on horseback following him, and he hid the tickets in the grass, and they had passed by without seeing him. He had left the tickets with the colored woman, who hid them in the yard adjoining their house, and he thought the tickets were all right. We had once laid our plans to get the tickets, because we believed they would make an effort to obtain them and destroy them, and we planned to have this colored woman get the separate packages and carry them to different places, and had matured a plan for distributing our tickets, when the colored man, whom we had sent out, came running in and said there was a squad of armed men coming up in the direction of the cabin just in the rear of the woods. When that announcement was made the colored men scattered, and we went back to the house, Mr. Lovering and myself. As soon as we returned to the house, Mr. Lovering said he would take his cane and take a walk around his farm, ostensibly for his health, but really to see what was going on.

MYSTERIOUS MESSAGES.

Soon after he left Mr. Winn, a friend of Mr. Hoskins rode up to the house and came in to see Mr. Holmes. He said that he came to know what these other gentlemen, Mr. Gwin and Mr. Wilson, had come there for. We told them that they had come desiring to make some arrangement by which our ticket could be divided. He talked against that, and said that if Mr. Hoskins were placed upon our ticket, the democratic candidate for sheriff, there certainly would be a quiet election in the county. While they were conversing, I went down to the stable, some twenty or thirty yards from the house, and as I returned I met Parson Portwood, the democratic candidate for assessor and Mr. Lovering's overseer of the plantation. Mr. Portwood said to me when we met, "I hope there will be no fighting here; I don't want any fighting on this place." I told him I had no idea of any fighting here. I certainly was not going to do any fighting, and did not know that anybody else was. He said that he had been sent up to take the saddle off of Mr. Holmes's horse, and there looked as if there was going to be some trouble, and he hoped there would not be any there. I told him I was not going to make any trouble or fight, and thought there would be peace, and went to the house. When I reached the house Mr. Holmes came to the door and met me, and said a colored woman told him a colored woman had just come to

the house with a message from Mr. Lovering, the owner of the plantation. She brought the message that Mr. Lovering had been captured in the woods by a body of armed men, and had been forced to take an oath that he would not come back to the house during the day. I don't know how true this was, but Mr. Holmes remarked that I must go away from there as soon as possible. Mr. Holmes asked me if I had better tell Mr. Winn what the message was. I said yes; it could certainly result in no harm. We went back and told Mr. Winn the message which was sent. Mr. Winn did not seem disposed to credit the statement, but he went outside and talked with Mr. Portwood, I think. When we got back he was apparently very much excited, and said, "My God, has it come to this; I could not believe that they would do that." I don't know what he referred to. He said, "Gentlemen, I will go right to Durant and send Mr. Montgomery and Mr. Johnson out here, and see if they cannot put a stop to this thing." He was no more definite as to what was transpiring than that. We said, "All right," and told him we would stay there until he got back, and he left. Mr. Holmes and I consulted as to whether we should leave according to the instruction of Mr. Lovering, and we concluded that we would not go. We were in the house, pretty well armed, and thought we had a right to stay there. Very soon after Mr. Winn left Mrs. Portwood came into our room, urging us in every way possible to leave there. She evidently had been talking to this colored woman, and got information we had not received. With tears in her eyes, she told us to go at once; that we could not contend with so many men, and it was folly for us to stay, and after thus urging us to leave she left the room. Even then we concluded we would not go, but would stay there. After delaying a little longer, we had closed the windows and put down the curtains to the room, except at one side, so that we could look out and see what transpired, and while we were watching there we saw Mr. Lovering coming up the road to the house from the opposite side from which he had departed. Pretty soon he came in with Mr. Portwood. He would not say a word to us, but talked with Portwood.

Q. Portwood was Lovering's overseer?—A. Yes, sir.

WARNED TO LEAVE.

Q. Portwood is a democrat?—A. Yes, sir; and a preacher. He said to Portwood, "These gentlemen ought to go away from here, and it won't do for them to stay any longer; they ought to go as soon as they possibly can. Mr. Holmes must not go to the stable for his horse; if he does, they will capture him; he must go away on foot, but it won't do for them to attempt to ride;" and intimated that we must take to the right, and we were not to go to Durant. This he said to Mr. Portwood. After talking in that general way in relation to us, he went out and left Mr. Holmes and myself there. Upon further consultation we concluded that, inasmuch as the owner of the plantation was urging us to go away, and that the family living in the house was urging us to go, that perhaps we had no right to stay there, and concluded to go, that they ought to know more about the necessity for our going than we did, and Mr. Holmes and I concluded we would not go on foot, and instead of taking the road to the right we would go to Durant, and when we reached that place to cross the turnpike into Attala County. Mr. Holmes sent for his horse and had it brought to the house. We took our pistols in our hands, mounted our horses, and left. We did not go immediately through the town of Durant, but went below, so that no one would know the direction we took. We bore to the right of the town and crossed the turnpike into Attala County, and at night reached Kosciusko. No one had pursued us.

ADVISED NOT TO GO TO KOSCIUSKO.

We saw republican friends, and they thought it was not safe for us to go back. Our candidate for Congress in that district came up to Kosciusko on Saturday.

Q. Who is he?—A. Judge Niles. He told us that as the train went down to Durant on Friday night, a squad of armed men went through that train apparently looking for somebody. There was a good deal of excitement at Durant, and he did not think it was best for us to go back to Durant.

We sent four republicans from Kosciusko (two went on Saturday and two the next day) to assist in getting our tickets distributed through the county.

GOT TICKETS TO SIX PRECINCTS ONLY.

Q. What county did you go into?—A. Attala County. We succeeded in getting our tickets, as I was afterward informed—I don't know of my own knowledge—to six of the precincts of the county.

HOW THE DEMOCRATS CARRIED THE COUNTY.

Q. How many precincts are in the county?—A. Ten. We got them to Richland precinct, which is a very strong republican beat or precinct. A colored man, a member of our executive committee, received them there, and very soon afterward received word of the capture of Mr. Rowan, our candidate for county treasurer. He heard that Rowan was hung. That, however, was not a fact; he was captured and kept under arrest until the morning of the election—captured on Saturday night and kept under arrest until the morning of the election. He was not hung, but was taken to the woods, and that started the report in his precinct. The effect of it was, that the man who had our tickets, hearing that, thought it was settled that all was lost. He was a man of some prominence; and instead of making efforts to distribute the tickets, he left them in the hands of another colored man, and hid up himself. The result in that county was this: that the democrats carried the county by about 1,100 majority; and I believe that if we had had a quiet election; if every man had been allowed to vote as he pleased; if there had been no intimidation in the county, we would have carried the county by 1,500 majority. That is the ordinary majority in that county for the republicans.

Q. As I understand you, in four of the ten voting-precincts of Holmes County there were no republican tickets?—A. That is the information that I received afterward.

Q. You, as you state, were chairman of the republican county executive committee?—A. Yes, sir; I was a member of the State executive committee, also; one of the central committee.

Q. Who were elected to the lower house of the legislature from Holmes County last fall?—A. Mr. Goin—I cannot give all the names now.

Q. How many members were there?—A. Three. Mr. Hooker was elected senator from the county. The names of the representatives do not all occur to me just now.

Q. Were all the representatives elected from the county democrats?—A. Yes, sir.

Q. Was the democratic senator elected from that district?—A. Yes, sir; that county is a district itself.

A DISORDERLY CANVASS IN REPUBLICAN—QUIET CANVASS IN DEMOCRATIC COUNTIES.

Q. Do you wish to state any general facts in regard to the canvass as

carried on in the State, you being a member of the State central committee?—A. My information is, that the character of the canvass in Holmes characterized the canvass in these strong republican counties throughout the State. In democratic counties I do not think that was the character of the canvass. I know in Leake County, where my plantation is located, where I was on the day of the election, I don't think there was anything of the kind occurred. They had a quiet, peaceable election.

PERSONAL STATEMENT.

Q. What occupation, if any, did you have in Holmes County?—A. I had no business there. I went there originally to assist—I will go back. The sheriff of that county had died, and a special election was called. While I was at Jackson, during the session of the legislature, and while clerk of the house, I had told a gentleman from Holmes County that if he was elected sheriff I would assist him in making his bond. I had, without considering the difficulties that would result from such a promise to assist him, and after he was elected I made his bond; other gentlemen hesitated to go on his bond unless I would go there and be responsible for the running of the office, and I agreed to do so. That was what took me to Holmes County originally; to look after the office, although the man never did obtain possession of the office at all. Proceedings were instituted, which kept him out of the office during the year.

By Mr. McDONALD:

Q. At what time did you go to Holmes County?—A. It was immediately after the adjournment of the legislature; I don't know exactly when.

Q. In the spring of 1875?—A. Yes, sir.

Q. You went there, you say, to act as deputy for the sheriff, having made his bond for him?—A. I presume I should have acted as his deputy if he had ever obtained possession of the office, which he never did.

Q. Then you exercised no official functions in Holmes County?—A. No, sir.

Q. You say you were in Leake County at the election?—A. Yes, sir.

Q. Does Leake County adjoin Holmes?—A. No, sir; the county of Attala intervenes in part.

Q. Your proper residence was in Leake County?—A. No, sir, not at that time. My residence had been in Leake County for nine years.

Q. Had you a household in Leake County?—A. Yes, sir.

Q. Your farm was there?—A. Yes, sir.

Q. Had you changed your residence from Leake to Holmes County?—A. Yes, sir. I changed my residence when I went over there to live in the spring. I went there to stay.

Q. That is, you went there to stay as soon as this man came into his office, to become his deputy?—A. I had no doubt of his getting possession of it at the time.

Q. But he did not get it?—A. No, sir, he did not get it; but after he failed to get it, I intended to stay there.

Q. Were you in any business in Holmes County?—A. I have already stated that I was not.

Q. Have you a family?—A. No, sir.

Q. Are you a single man?—A. Yes, sir.

Q. Were you keeping house in Leake County; had you a household there?—A. Yes, I had a household there.

Q. Have you ever had a household anywhere else in Mississippi ex-

cept in Leake County?—A. No, sir; I have spent every winter for the last six years at the capital.

Q. In connection with this office you have spoken of?—A. Yes, sir.

Q. So, then, you had no place of business in Holmes County—you engaged in no business in Holmes County—had no household in Holmes, but had one in Leake County?—A. I had no business. I was engaged in no business, was not an owner of a house in Holmes County, but I was the owner of a house in Leake County.

Q. And you lived in it when you were there?—A. Yes, sir; for nine years I lived there.

Q. When in Leake County, you occupied your house, had your servants, and kept house regularly?—A. No, sir; I am not doing that now. Whenever I go to Leake County I board, and have for more than a year.

Q. You had been keeping house?—A. Yes, I had been, up to within a little more than a year.

Q. During all this time?—A. Yes, for nine years I lived there and kept house.

Q. These gentlemen you spoke of, who called on you at the court-house—this Mr. Ashcraft—what is his business?—A. I do not know, sir.

Q. You say his son was a candidate for some office?—A. Yes, sir; for circuit clerk.

QUESTION OF WITNESS'S LEGAL VOTING PLACE.

Q. Did you vote at the last election?—A. I did not, sir.

Q. Did you offer to vote anywhere?—A. I was in Leake County on election-day, and had been registered in Holmes County—a registered voter of Holmes County.

Q. Were you not also registered in Leake County?—A. I had been previously.

Q. Had your registration ever been changed?—A. I had made no change there.

Q. Were you then one of the registered voters of that county? The registry remains there until some change is made, I think.—A. I could not vote for county officers in the county in which I was not a citizen.

Q. You were registered in Leake County as well as in Holmes?—A. I might have voted the candidate for Congress.

Q. Were you not registered in that county?—A. I presume my name was on the registry-books.

Q. Of Leake County?—A. Yes, sir.

Q. Being on the registry-books of Leake County, what prevented you, you having a household there, from claiming that as your residence as well as any other place?—A. I had already become a resident of Holmes County and registered there, and I could not vote for the county officers in a county in which I was not a citizen and resident. I could vote anywhere in the district for Congressman, I suppose.

Q. He asked you if you were a citizen of that county, and you told him you were?—A. I did, sir.

Q. He disputed that fact?—A. He did that, very emphatically.

Q. Did he state the reason why he disputed that fact, that you had your farm in Leake County?—A. No, sir.

Q. That you had your residence in Leake County?—A. No, sir; he said nothing of that kind.

Q. There was a question as to whether you were a resident of one county or the other?—A. There was none in my mind.

Q. But there was a question in the mind of others?—A. I don't know, sir.

Q. You had not given up your business in Leake County; your farm was there?—A. I had rented my place in Leake County.

Q. Your possessions were all there. Were you not the owner of household goods in Leake County?—A. Yes, sir.

Q. A furnished house?—A. Yes, sir.

Q. And you had no furnished house anywhere else?—A. No, sir.

Q. In Holmes County, you simply boarded at a hotel?—A. I was boarding there, but not at a hotel.

Q. And the purpose for which you had come to Holmes County had not been accomplished?—A. The question of the right of the sheriff to the possession of his office was still in litigation.

Q. The purpose for which you came to the county had not been accomplished; you were not in office—you were not his deputy, engaged in any business there, and Mr. Ashcraft said that you were not a citizen of that county?—A. He said so; yes, sir.

Q. Now was not the objection raised, that you were interfering with the affairs of that county, made on that ground?—A. I think I have a right——

Q. I am not asking whether you had a right.—A. I could not tell what his objection was, or what the motives were that influenced his action.

Q. He stated to you that you were not a citizen of the county?—A. He did.

Q. And should not remain there for—— A. He said I was not a citizen of the county, and I had better go away from there.

ABOUT "IT'S GOING TO BE TOO HOT FOR YOU HERE."

Q. That you should not remain there and—what was the expression?—A. "You have been here circulating your lying documents long enough;" that "it is going to be too hot for you here."

Q. I will ask you now if his objection did not all start upon the fact that he denied your right to citizenship in that county?—A. I didn't think that had anything to do with it.

Q. His first question was as to whether you were a citizen of that county or not?—A. If you ask from me my opinion I would like to state it.

Q. I am asking as a fact if he did not object because of your not being a citizen of that county?—A. I told him that I was a citizen of that county, and he said I was not, and said I had better go away; though if you ask me my opinion as to why he was talking in that way, I would be pleased to give it.

Q. I am not asking for any other opinion than as founded upon the facts which you are stating. You say this was just two weeks before the election?—A. Yes; it was two weeks before the election, which was on Monday.

Q. Two weeks before the election?—A. Yes.

Q. The other parties who were with him, Mr. Walton and Mr. Alexander; what is Mr. Walton's occupation there?—A. I do not think he has any; I don't know, sir.

Q. Has he not been a citizen for some time in Holmes County?—A. I presume so.

Q. What is Alexander's occupation?—A. He was constable of that town.

Q. How is he elected to that office?—A. I say he is constable; I

don't know whether he was elected under their charter, under the town charter, or whether he was only constable of that precinct.

Q. It is an elective office?—A. Yes, sir.

Q. Did he take any part in the conversation?—A. I don't think he did; he merely stood there, I think, and Mr. Walton closed the conversation by saying, "Yes, we mean what we say."

Q. Had you been circulating documents in the county before that time?—A. I think the documents he referred to was a circular addressed perhaps to colored voters, which were sent to the county by the State executive committee, and signed by A. Warner. I think Mr. Ashcraft had taken Warner's name for mine in his ignorance, and he thought I was the author of that.

ABOUT THE "LYING DOCUMENTS."

Q. You think Mr. Ashcraft had taken you for General Warner, the chairman of the executive committee?—A. I don't think I had circulated any of those addresses which had been sent to the county. I don't know that I had directly circulated them; I might have done so; they were not "lying documents," however.

Q. This address appeals to the colored men of the State to stand by the republican ticket?—A. Yes, sir; I suppose that would be a description of the address.

Q. You saw them, of course?—A. Yes, I read them.

Q. In those appeals, did they not state that if the democracy came into power that the negroes would be in danger of their liberties and their political rights?—A. I don't remember as to that.

Q. That their only means of maintaining their political rights and liberties was by voting the republican ticket. Was not that, in substance, the address?—A. I don't remember; I presume this committee have one of these documents. I cannot remember definitely as to that.

Q. And that is the document that Mr. Ashcraft had reference to?—A. I think so. I don't know whether Mr. Ashcraft read the document. I have serious doubts whether he could or not.

Q. His son was a candidate for circuit clerk?—A. Yes, sir.

Q. He was a man who had some education and intelligence?—A. Yes, sir.

Q. At that time, Mr. Warren, were not all the county officers in the county republicans?—A. I think so.

Q. All of them?—A. I think so; all of the county officers.

Q. This Mr. Alexander, who was a constable, was he elected by the republican votes?—A. I stated, Senator, I did not know whether he was a constable of the town or a constable for the precinct. If he was a constable for the town, I think that town was democratic, and if he was, if elected for the town, it was by democratic votes. I am sure he was not a republican.

THE "PEACE COMPANY."

Q. You say when you appeared to go to New Orleans to get these tickets printed that there was a company drilling there at Lexington called the "Peace Company." Who was the officer of that company—the commander?—A. I don't remember his name. I don't know that I know the officers there; I have heard the name of the captain of the company, but I cannot give it.

Q. Did you see them?—A. I had not seen them on drill. I had seen members of it on the streets.

Q. Did you see them on drill with Winchester rifles?—A. No, sir; I

did not; I saw numbers on the streets carrying their guns round with them.

Q. And with their red caps; did you understand that to be their uniform?—A. Yes; I was told that they were going to drill that afternoon; I did not see them drill myself.

Q. You were told?—A. Yes, sir.

Q. When you speak of some of the members following you, do you know of your own knowledge that they did, or are you speaking of what you heard?—A. No, sir; only what I heard, and I believed it to be true.

Q. You saw none of them?—A. No, sir; I did not see them.

"A COLORED MAN HUNG LAST NIGHT," AND WHY.

Q. You went to Mr. Lovering's, and you left Mr. Holmes there, and went on yourself to Durant Station, took the cars there, and was not molested?—A. No, sir; as I entered the town of Durant after dark, a man with a double-barrel gun halted me and asked me my name. I gave it, and he said, "There was a colored man hung here last night, and we understand that the colored people are arming to come and burn the town, and we are picketing the town." He allowed me to pass on.

Q. There was some alarm about the hanging of a colored man the night before; did you understand about that?—A. I heard there was a colored man hung the night before.

Q. For what?—A. For the alleged offense of rape.

Q. On a white woman?—A. Yes; a white girl.

Q. And as a fact there had been a colored man hung at Durant the night before for the alleged offense of rape on a white girl. There was an alarm in the town and they had thrown their pickets out?—A. Yes, sir.

RUMORS OF NEGROES BURNING THE TOWN.

Q. An alarm on account of rumors that the colored people threatened to burn the town?—A. I stated that it was a rumor; I had seen no disturbance.

Q. You had no further trouble, but passed on?—A. Yes, sir.

Q. When you returned you saw Mr. Gwin and Mr. Walton, the same parties who had spoken to you in regard to your residence at the time Ashcraft accosted you?—A. Yes, sir.

Q. Did Mr. Walton say anything to you?—A. No, sir.

Q. Was your conversation altogether with Mr. King?—A. I had a conversation with Mr. King as we walked up to the hotel.

Q. Did he say anything to you of an offensive character?—A. No, sir.

Q. His statements to you were not offensive in any way?—A. No, sir; he seemed to take a great deal of interest in my bundle; he was gentlemanly and polite.

Q. He did not undertake to take it from you?—A. O, no, sir.

Q. He made no demonstration in that way?—A. No, sir.

Q. You carried it along in your hand?—A. Yes, sir.

Q. You say that while you were at Mr. Lovering's he had gone out round his place to see what was going on, and you had heard that a band of white armed men on horseback were coming up through the country there?—A. No, sir; I did not make that statement at all.

A COLORED MAN'S STORY.

Q. What was your statement?—A. I said that this colored man who came to us when we were in the woods stated that a body of men armed

with guns were passing from the road up toward the house, on the rear of the woods—in the direction of the house, in the rear of the woods.

Q. You saw no armed men yourself?—A. No, sir.

Q. You say that the colored man said that Lovering had been captured, and had been compelled to take an oath not to return that day?—A. That was the message that we received.

Q. How long after that message did Mr. Lovering himself come back to his house?—A. I could not tell; it might have been three-quarters of an hour, or more.

Q. You say he did not converse with you and Mr. Holmes when he returned, but talked with his overseer, Mr. Portwood?—A. Yes, sir.

Q. He said nothing at all about being himself captured?—A. No, sir; not a single sentence.

Q. There was no one with him except Mr. Portwood when he returned?—A. He returned alone; Mr. Portwood was not with him; he came in our room with Mr. Portwood.

Q. He returned to his house alone, and you heard him say nothing at all about being captured or molested?—A. No, sir; he had been conversing with us in the morning before he went out; conversed very freely; but at this time he did not speak a word to us.

Q. He directed his conversation to Mr. Portwood, telling the facts which you have stated, that you should leave there?—A. Yes, sir.

Q. He was a personal friend of Mr. Holmes, was he not, and a political friend?—A. Yes, sir; though Mr. Lovering had not taken an active part in politics at all.

Q. But he was understood to be a republican?—A. Yes, sir.

WITNESS'S RETURN TO LEAKE COUNTY.

Q. When you got on your horse, you say you did not go directly to Durant, nor pass through the town?—A. No, sir.

Q. How near did you pass to it?—A. Just below the town.

Q. In sight of it?—A. Yes, sir.

Q. You met no armed persons, did you?—A. No, sir.

Q. And you were not molested?—A. No, sir.

Q. You passed on through into the adjoining county of Attala, and, so far as you were personally concerned, you were in no manner molested?—A. No, sir.

Q. When did you go from Attala to Leake County?—A. On Sunday.

Q. You did not return any more to Holmes County after you left on that occasion?—A. Not until after the election.

Q. When did you return to Holmes County?—A. I went there perhaps in a week. I don't know; it was perhaps two weeks after I went to Durant and went to Jackson. I have not been in the town of Lexington since.

Q. When you returned, you returned without any molestation?—A. I have not been molested at all since.

ABOUT THE REPUBLICAN VOTES POLLED.

Q. As to the tickets being distributed in six out of ten precincts, you have no personal knowledge except from what you have heard on the subject?—A. That is all; my information is from others.

Q. You were absent from the county all that time?—A. Yes, sir.

Q. Have you examined the returns from the different precincts to know whether there were republican votes cast in all the precincts or not?—A. I have seen the report of the returns since they were published.

Q. Did you examine the returns from the different precincts? They

were all brought into the county-seat and returned to the board of registration?—A. Yes, sir.

Q. At the county-seat the vote of each precinct is returned separately to them in a box. Now, did you examine them to see whether the republican votes were polled at the different precincts of the county?—A. I don't know that I ever examined them with that object in view.

THE COUNTY CONVENTION AND THE PROCESSION OF NEGROES TO IT.

Q. You spoke of your county convention being a very large one; what time was it held?—A. I cannot tell you. I think it was in August that we held it, about a mile or two from the town of Lexington. We did not dare to hold it in the town of Lexington; ordinarily, the conventions are held there.

Q. Did not a great many of the men who attended it pass through the town?—A. Yes; but one company of men before passing in sent in a flag of truce to the mayor, indicating that they wanted to go through the town to attend the convention.

Q. They were informed that if they went through peaceably there was no trouble about it, were they not?—A. They were informed that they could go through.

Q. Did the colored men who came to the convention generally go in clubs or in organized companies on horseback?—A. Yes, sir.

Q. And were not many of them armed with side-arms—with pistols?—A. I don't know, sir; they might have been; I don't know.

Q. It is not an uncommon thing in that part of the country to carry arms, and by people of both colors?—A. A great many people carry arms, both white and black.

Q. Do you know about the largest procession of blacks that came to that convention that day?—A. I do not.

Q. Was it not the largest club that marched through the town?—A. Yes; it may have been the largest procession that marched through the town.

Q. But you were in the town yourself that day, were you not?—A. I was in the town in the morning. I was not there when the clubs went through the town.

Q. It was about how far to this place where the convention was held?—A. A mile or two.

Q. In a grove?—A. At the house of a colored man we held the convention, very near his house.

Q. Was there a shade about it, a grove?—A. We did not need any shade that day, because it was raining. But there were some trees about. It was raining hard nearly all day.

FIFTEEN HUNDRED TO TWO THOUSAND VOTERS AT THE CONVENTION.

Q. About how many persons who were voters were at the convention that day?—A. I should think from fifteen hundred to two thousand men. It was the largest meeting that I ever attended in the State.

Q. From fifteen hundred to two thousand voters? What had been the republican vote before that? Until 1875, what was the aggregate republican vote in that county?—A. I could not tell you, sir; I do not know.

NUMBER OF WHITE VOTERS IN COUNTY.

Q. What is about the number of white voters in that county?—A. I think I could not give it definitely, but I judge probably about fifteen hundred votes.

Q. Some fifteen hundred white voters in that county?—A. I cannot tell definitely; I do not know.

DIFFICULTY IN REPUBLICAN RANKS.

Q. Before your convention there, had there not been some difficulty in the republican ranks in the county?—A. Yes, sir; there had been.

Q. Was there not a rencounter between two leading republicans of that county, the candidate for sheriff, and probably both candidates for sheriff?—A. No, sir; there was a colored man killed there.

Q. Were there not two colored men killed there?—A. Yes, sir; two. I had in view the candidates when I said one; there were two colored men killed.

Q. In an affray between republicans?—A. Yes, sir; they were killed by republicans.

PARTIES TO THE AFFRAY.

Q. Who were the prominent parties in that affray?—A. A man by the name of Mills and another named Lee. They were the men who were said to have done the killing. One of the men killed was a Mr. Hill; I don't remember the other man's name.

Q. They were both colored men that were killed?—A. Yes, sir.

Q. What position did Mills hold?—A. The office of postmaster.

Q. And the other party?—A. He was the chancery clerk.

Q. Were they both white men?—A. Yes, sir.

DISSENSIONS IN CONSEQUENCE OF IT.

Q. Did not that create an angry feeling among the republicans, and cause dissension there?—A. Yes; there was a very small wing of the republican party that were trying to defeat the party, and finally co-operated with the democratic party.

Q. Did not Mr. Hill's friends in this affray become very much incensed at Mills and his friends?—A. Yes; they did; it was very natural.

Q. On account of this killing?—A. Yes, sir.

Q. How long did that occur before your convention?—A. I think it must have been a month before.

Q. Mr. Hill was quite a prominent colored man in that county?—A. Yes, sir; and a very excellent man.

Q. He had an office there?—A. Yes, sir; the office of assessor.

WHY AFRAID TO HOLD COUNTY CONVENTION AT LEXINGTON.

By Mr. CAMERON:

Q. Why were you afraid to hold your county convention in Lexington, the county-seat?—A. We were afraid our convention would be broken up.

Q. By whom?—A. By our political opponents.

Q. Had there be a any efforts or intimations that it might be broken up in that way?—A. To say that there had been efforts would render it necessary to make it definite, and I could not do that. Our fear occurred from what we had heard as to what might occur.

MERELY NOMINAL DEFECTION IN REPUBLICAN PARTY.

Q. You may state as to whether or not the republican party was united at the time of the republican convention, and if there was a defection in that party, and to what extent.—A. There was a defection, but it was merely nominal. There is a wing there, but they are very few in number, and with very little influence; they had very little weight—none, I might say, in the general result.

ABOUT MR. HOLMES.

Q. Who was this Mr. Holmes that accompanied you from Holmes

County prior to the election?—A. He was the chancery clerk of the county.

Q. How long had he resided in that county?—A. I presume five years. He had been superintendent of education in that county, and had organized the schools there. The colored people were very much attached to Mr. Holmes, and that was one reason why he was so obnoxious to our political opponents. He had great influence there. I think my crime was that I was having some influence, as a republican, over the voters.

Q. Was Mr. Holmes, at that time, a man of family?—A. Yes, sir; a wife and one child.

Q. Where did he live?—A. There in the town of Lexington.

Q. Did he keep house?—A. Yes; I don't know whether he was at that time or not; I think he was in a boarding-house. He had a house furnished, and I think he kept house.

Q. Was there any question whatever as to his being an actual, *bona-fide* resident at that time?—A. I don't think there was the least in the world, sir. I don't think that had a feather's weight with Mr. Ashcraft. He made the attack because I was a republican and had organized the republican party there in an humble way.

By Mr. McDONALD:

Q. When Mr. Holmes separated from you in Attala County, where did he go?—A. He went with me to my plantation and staid there until I returned to Jackson. He then came back to Kosciusko and staid a few days; after that he went to Lexington, since which time he has left Lexington and left the State, because he did not dare to stay there.

Q. Where is he now?—A. He is in Dakota Territory—somewhere out West.

Q. He has changed his residence?—A. Yes, sir.

Q. Is he holding any office out in Dakota Territory?—A. I think not, sir.

PARTIES WHO HEADED REPUBLICAN DISSENTERS.

Q. You say that the division in the republican party did not amount to anything?—A. No, sir.

Q. What parties headed the dissenters of the republican party?—A. Mills and Lee.

Q. One was postmaster and the other chancery clerk?—A. Yes, sir; Lee once had great influence in the county, but he finally lost it.

CONVENTION NOT MOLESTED.

Q. There was no molestation of your convention when it was held at this place, was there?—A. No, sir.

Q. It was about a mile and a half from Lexington?—A. Yes, sir.

Q. There was no trouble in parties coming from Lexington out there if they had wanted to molest it?—A. No, sir.

Q. Well, after the convention was through, did not a good many of those clubs march back through Lexington?—A. Yes, sir; I think they did.

Q. In organized order?—A. So far as I saw, they were.

Q. With their officers?—A. I think so.

Q. Marched through the streets of the town and were not in any way molested?—A. No, sir; not that I know of.

H. P. SCOTT—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 10, 1876.

H. P. SCOTT (colored) sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Issaquena County.

Q How long have you resided there?—A. I have been there seven years.

Q. Before that where were you?—A. At Vicksburgh.

Q. Where were you born?—A. I was born in North Carolina, and raised in Jackson, Miss.

HE IS SHERIFF OF ISSAQUENA.

Q. Have you held any office in Issaquena?—A. Yes, sir.

Q. What?—A. Sheriff.

Q. How long have you held it?—A. I am serving my fourth term there.

Q. A term is how long?—A. Two years.

Q. You are in your fourth term?—A. Yes, sir. That is to say, I have served five years, and I was elected in the last election. The last is my fourth term. I was appointed by Governor Alcorn sheriff.

HEATED CANVASS, BUT NO TROUBLE.

Q. What was the character of the canvass in Issaquena County in 1875?—A. Well, sir, it was a more heated canvass than usual, but no trouble.

Q. What was the result of the election politically?—A. The republicans carried their ticket.

SLIGHTLY REDUCED REPUBLICAN VOTE, BUT NO INTIMIDATION.

Q. By a large majority, or otherwise?—A. Not quite as large as usual; they will lose, perhaps, one hundred and fifty or two hundred votes, but I do not believe from the results of any intimidation; I have never thought so; none that I have heard of.

Q. What officers were elected besides sheriff?—A. The representatives and members of the board of supervisors, county treasurer, and clerks of the courts.

Q. Are the persons who were elected to these civil offices in office now?—A. Well, some of them are.

Q. When did their term of office commence under the law?—A. It commenced the 1st of January.

CHANGES IN COUNTY OFFICERS CAUSED BY RECENT LEGISLATION.

Q. What ones are not in office who were elected?—A. Well, since the election, they have created a new county, and under that, of course, it left our county without officers according to law; that is to say, there were not five supervisor districts left by the creation of new counties, and just as we are now, we have only two members of the board of supervisors. The new county taking two members from us, one of the members that was left of the five, on the river, he has resigned. There is two members now holding office under the last election.

TWO COLORED SUPERVISORS "WAITED ON" BY A WHITE COMMITTEE AND ASKED TO RESIGN.

Before the creation of the new county, one of the members of the board of supervisors had resigned, being asked to resign, and he resigned.

Q. By whom was he asked to resign?—A. Well, he was asked by a committee of citizens; white citizens.

Q. Was he a colored man?—A. Yes, sir.

Q. What were the circumstances, as you understood it? What was his name?—A. F. P. Brooks.

Q. Did you understand what were the circumstances attending his resignation?—A. No more than what he told me himself.

Q. Let us have that.—A. He told me that there was a committee waited on him, and he was asked to resign; and I asked him why they asked it, and he told me. He said their reason was that they were very much opposed to him being a member of the board, and assigned no other particular reason, but he just told me that. He was on what is known in our county as Deer Creek.

Q. Did he resign?—A. Yes, sir; but he did not resign then. He told me some of them came to him, and asked him. He told me afterward that he was asked to come to the court house and hold one more meeting; and he told me some of them told him they did not want him to resign afterward, and I tried to get him not to resign, because the whites had assured him they would not hurt him afterward, and I did not want him to resign. Our county had been so quiet and peaceable that I did not want it said that we had any troubles there at all; that we had conducted ourselves there so that I did not want any trouble. I was afraid his resignation would cause a great deal of trouble. The whites were very friendly toward me, and my advice was taken among both white and colored, and I thought it was best for him to remain, and not cause any trouble.

Q. Was there any other resignation except that of Mr. Brooks?—A. There was no other one resigned. There was another afterward resigned.

Q. Who was he?—A. His name was Gross—S. J. H. Gross.

NO RESIGNATION, NO PROTECTION.

Q. Were those resignations accompanied with any intimation or threats as to what would happen if they did not resign?—A. He told me that the parties who had been appointed to wait on him and ask that he resign, told him that their duty was only to ask him to resign; if he did not resign that they could not assure him any protection. That was what they told him.

THE OFFICERS "WAITED ON" BOTH CAPABLE AND HONEST.

By Mr. CAMERON:

Q. How long had this Mr. Brooks resided in your county?—A. I do not know how long. He had been elected a member of the board of supervisors, and had served two years—one term—and he was re-elected.

Q. Do you know whether or not he had resided in your county any considerable length of time prior to his first election?—A. I really do not know. I know that he had been there three or four years. I think I had known him there four years. He was raised about there; I think he had relatives, whether raised there or not; I think some of his relatives lived there.

Q. Had he discharged his official duties, so far as you know, to the pretty general satisfaction of the people of the county?—A. Yes, sir; that man had discharged his duties more satisfactorily than any other member of the board of supervisors, I think. I regarded him as a very intelligent—the most intelligent man there was; and in the speech I

made in the canvass I said this to a very large meeting there of white people, that I thought his intelligence compared favorably with ordinary white men. In selecting him for office they had done well, and I always thought so, and I believe that is the general impression of every one about there. There had been no charge against him at that time.

Q. As far as you know from public report, had he discharged his duties as an honest official?—A. Yes, sir; that was the impression, and there was no complaint. Indeed he was regarded as a very intelligent, upright, honest man. I never heard anything else of him, and I regarded him so, and I continue to regard him so now.

Q. To what party did these parties who called on him to request his resignation belong—which political party?—A. Well, in my county they do not claim to belong to any party. They have until this last election voted with the colored people. The whites generally voted with the colored people, and they never put up a ticket, until this last election. They now, since the last election, claim that they belong to the democratic party. They now say they have a democratic party there.

Q. Were they all white men who requested his resignation?—A. Yes, sir.

WILLING TO RESIGN OFFICE BUT NOT SIGN A LIE.

Q. State whether or not they claimed to act in accordance with instructions received from a public meeting or private meeting.—A. Yes, sir; they claimed that; he told me that they claimed that. They brought a written resignation there, so he told me, and asked him to sign it, but he refused to do it. He said he wanted to consult his friends, and he finally said they told him they did not know whether he could live there; they would not guarantee any protection unless he would sign. He wanted to modify the resignation to suit himself. He said that that resignation said that he signed it without threats or fear. He told them he would not sign it that way, but if they would allow him to correct it, he would sign it, and he said the only reason he signed at all was that he was afraid of his life. That they afterward came to him and told him that he need not resign unless he wanted to, but he did finally resign after the meeting of the board. I know he met with them once, but am not certain whether twice or not.

Q. When was he first requested to resign by this committee? How long after the late election?—A. It was between three and four weeks. We had some little trouble after the election—about the 3d or 4th, I think, the trouble occurred. I think about the 4th of December, between the 4th and 10th.

SOME VERY SERIOUS TROUBLE BUT THE SHERIFF HAD NO AUTHORITY TO STOP IT.

Q. State what those troubles were.—A. I really do not know anything more than there was some very serious trouble, or so serious I thought I had better keep out of it. I had no authority to stop it.

Q. You were sheriff?—A. Yes, sir.

Q. As a public officer, what occasion had you to inquire into these troubles?—A. None, in those circumstances, except if I should have wanted any person with my authority as sheriff. But the information I got led me to believe that my authority would not have done any good. It was going on for about six or eight days. I would get information from both white and black that everything was quiet, then I would get different opinions; some would say that it was not so; some said there was a good deal of trouble there. Some of my friends, both white and colored, democrats and republicans, told me that the

trouble was out there. They did not believe I could do any good—not by going out as sheriff.

GOT INFORMATION THAT SEVERAL WERE KILLED.

A justice of the peace wrote to me and said everything was quiet, in his letter, but he thought, if I would come out and make a speech out there to the people, that I could allay a good deal of trouble that they were practicing toward each other; and in about twenty-four hours after that I got information that several were killed.

CONSULTED VERY PARTICULAR DEMOCRATIC FRIENDS WHO ADVISED HIM NOT TO GO.

I had very particular democratic friends, and asked them about it. I did not like to go. I knew that there was great trouble out there. I consulted with a democratic friend of mine, whether my life would be in danger or not, and he told me very positively that he did not think I could go with any authority to quell the disturbance out there. He told me that the citizens of the county, white citizens, respected me very highly, and he did not believe any of them would hurt me. I had that opinion myself, but he says there is a class of men in the county that he did not know anything about, though a resident there for twenty years. He told me that he thought my life would not be safe to go there at that time. He stated to me that the white men and colored men had a difficulty out there, and that there were two classes of people there. There was a class of colored people who said they thought they had been aggrieved by the whites, and there was a class of white people thought they had been aggrieved by the colored people, and that both parties had gotten mad with one another; and he thought that the whites had the advantage of the colored people, and that a great many whites would come in from other counties, and they were well armed, and that he thought myself as sheriff could do no good, and he would not advise me to go. I told him then if he would write a letter out to the leading white men there, that he knew controlled the whites, by way of peace, and not with authority as sheriff, I asked him did he think it would do any good. He said he thought it might if I could prevail on these white men that were in arms to leave the county; thought that the colored people out at the river, (I do not know what they were at the creek)—there was no disposition on their part to harm the whites.

BUT HE WRITES A LETTER TO A LEADING WHITE CITIZEN.

I thought peace was right, and quiet, and he told me that perhaps it would be well to write; and I asked him then would he go out as a deputy of mine—a white deputy. I asked him if he would go out and assist these attempts of mine to quell the disturbance. He told me he would, and I wrote a letter and addressed it to a leading white citizen out there, who was a democrat—who claimed to be a democrat. I knew he was a leading man among them, and so I addressed it to him, and told him that I had just heard of several colored men being killed at the creek, and the news was very alarming to the colored people on the river; and I desired to have the peace respected, and assured him there would be no trouble on the part of the colored people on the river. I named my deputy, and told him he would tell him in addition to my writing what I was willing to do, if I could do it by coming out as a peace-officer without arms, to get peace among the people.

SIX OR EIGHT COLORED MEN KILLED—AND EVERYTHING IS PEACEABLE AND QUIET.

That there had been eight or ten days' quarreling and fighting, and six or eight colored men killed; and I received a letter in a few days after-

ward from a gentleman whom they said was in command. In his letter he said that everything was peaceable and quiet on the creek, and that he had resisted many wrongs. The leaders of the riot or disturbance that was going on had fled the country—these parties who had come into the county from other counties. Thereupon I was informed they went home, and after that these men I referred to were asked to resign. Within a few days afterward they were asked to resign——

A COLORED MAN TAKEN OUT AND SHOT BECAUSE HE RESISTED RUFFIANS WHO WERE FORCING HIS DOOR.

Q. How many colored men were killed during these disturbances in your county, from the best information you have?—A. I know eight.

Q. How many white men, if any, were killed?—A. I heard that there was one killed, not by colored people particularly. He was killed by a colored man. It was on the last day of the troubles, and I understood he came into the county—he was just come in with another man, and he attempted to force the door of the colored man, and break into a colored man's house. The colored man would not open the door for him. There were four together, and one of the white men forced the door open, and he seized his gun and shot him. The man that he shot that day I understood died in a few days, and that colored man was killed the next morning, I understand. He was taken out and shot, against the protest of the white citizens. The white citizens were very much opposed to killing the colored man, and said he had done right, and that he had a right to shoot that man, and they wanted him to have a fair trial, but I understand they would not allow him. They said they would kill his whole family and burn the town if they were interfered with. It was against the wishes of the citizens there.

COLORED VOTERS TEN TO ONE ON DEER CREEK.

Q. At what place in your county did these disturbances take place?—A. On Deer Creek.

Q. Where do you reside?—A. On the Mississippi River, about fifteen miles from the creek. The county-seat is fifteen miles from Deer Creek.

Q. What is the relative colored and white population in your county?—A. We had about 2,500 registered voters there. There is between 250 and 300 white voters on the book; the balance were colored.

THE WHITES ALL ARMED.

Q. State whether or not, from the information which you obtained, the white persons who were engaged in these disturbances were armed or not.—A. Yes, sir; I was informed that they had guns, shot-guns, and armed with pistols. In fact, I saw a great many pistols that were used by the parties, afterward. At that time the excitement was very great in my county, and every white man was armed. I know that was a fact. They did not disguise the arms. They claimed that they were carrying the arms for their own protection. And always when I saw a man that was armed, I told him that the carrying of arms was the very thing to bring trouble. I did not think the colored people had any disposition to override the whites. I thought that the carrying of arms would be a bad precedent to establish. I thought that the colored people might get frightened by so many being armed, and would get into trouble. That was my advice to them all the time, and a good many took the same course I did, and advised them not to carry arms, so as not to get into any trouble.

NO COLORED MEN ARMED THAT HE KNOWS OF—ONCE A NUMBER GOT GUNS IN A PANIC.

Q. You may state whether or not the colored men were generally armed or not.—A. No, sir; none that I know of. I did hear, the whites told me, that there was some colored men arming themselves some fifteen miles below; but I have never heard a colored man say that yet, except on one occasion they did tell me, that on Sunday, when there were three or four hundred whites coming down the creek, armed, that the colored people did get frightened, and they did, several of them, go and get guns. I told them I wanted to get the truth about everything, because I did not want to have it to say that one party was to be blamed any more than the other. I wanted to get the truth, and they said several went and got their arms, but as soon as they found that they were coming in such numbers, they put their guns down again, and went home quietly. That is what they said.

BROOKS STILL AT DEER CREEK—HIS BROTHER KILLED.

By Mr. BAYARD:

Q. Where is Mr. Brooks, this man you speak of?—A. Mr. Brooks is now living in Deer Creek.

Q. In that county?—A. Yes, sir. There has been a new county created by the last legislature.

Q. But he lives there now?—A. Yes, sir.

Q. He is a well-known man?—A. Yes, sir.

Q. He lives there in quiet and peace?—A. Yes, sir. His brother was killed there in the troubles.

LOSS ON REPUBLICAN VOTE.

Q. You spoke of the republican party losing, in the last election, on its majority, 150 to 200 votes; was the white vote increased?—A. Yes, sir; it was increased to that amount, about that amount.

Q. Caused by black people voting the democratic ticket?—A. I do not know whether it was or not. They polled a larger number of votes at the last election than they had ever before.

Q. Do you know how many votes they polled?—A. I do not remember.

ABOUT BROOKS'S RESIGNATION.

Q. All this statement in regard to Mr. Brooks's resignation you got from him?—A. Yes, sir; and others. In fact the whites told me.

Q. Were you ever present at any of these interviews between him and the whites?—A. No, sir.

Q. All you say is on the information of others?—A. Yes, sir.

SHERIFF SCOTT HAS ALWAYS BEEN WELL TREATED BY THE WHITES.

Q. I understand you to say that the feeling toward you personally is kindly?—A. Yes, sir; up to the day I left. The people are very kindly toward me.

Q. Your treatment by them has been respectful and gentle always?—A. Yes, sir.

Q. Was there any obstruction of your office in serving processes?—A. No, sir.

Q. Have you ever had any obstruction in serving processes, civil or criminal, placed in your hands?—A. Well, no, sir. I never had any from any citizen of the county. I have had from others. I did have some trouble once, some two or three years ago.

Q. It had no political significance?—A. No, sir. I have always been

on the friendliest of terms with the whites. No objections were made to me, except they would say I ought not to be a republican. I allowed them to tell me so; and I told them that they ought not to be democrats.

HE HAS MADE A SPEECH AT A DEMOCRATIC MEETING.

I made a speech at a democratic convention about a week ago.

Q. You addressed a democratic convention; how came you to do that?—A. It was their meeting, and they said something I did not like.

Q. You attended it?—A. Yes, sir; of course I asked permission to ask some questions about it.

Q. As a custom?—A. I do not know as a custom. I do not know as it is a custom for republicans to attend, but I was there. They had said they wanted us to be there; and we went about half and half, and the colored people happened to be there. The mass of the republican party in my county is composed of colored men, and we happened to be there, and they said things I did not like.

Q. The white speaker?—A. Yes, sir.

Q. Who was he?—A. I do not recollect to call their names.

Q. Then you asked them some questions?—A. Yes, sir.

Q. Then, after asking those questions, did you get up and make a speech?—A. Made a speech then. Well, they taken back everything they said, and I was satisfied.

Q. They took it back, and you had your say in this meeting?—A. Yes, sir; when I addressed the chair I asked permission. I knew there was some feeling against the colored people, but none against me particularly. But there is always some that are bitterly opposed to parties, and I asked permission to make some remarks, and they granted it. I knew I could address them with more satisfaction than any other man that was there; and after I made my remarks they taken back what they said. They agreed I was right, and took it back.

Q. Then your interruption was kindly received, and your refutation of their statement was successful, and they admitted it?—A. Yes, sir.

Q. Have you often addressed white democratic meetings in that way?—A. Only two since I have been in the county; that was in the last election. I was called upon by the colored people, that would be there; I was always their representative man. Although on this day two weeks preceding I was not called upon by the colored people, but I thought it was my duty to say something that they might understand how we stood. I thought it was to the interest of both parties, and the colored people were better satisfied. In fact, I thought that the speeches I replied to were calculated to bring about trouble.

Q. Whose speeches were they?—A. The whites and democrats. That was not at the convention.

Q. That was during the canvass of 1875?—A. No, sir; to-day a week ago.

Q. How about your meeting during the canvass of 1875, where you addressed another of the democratic meetings?—A. They were always very friendly to me.

Q. Very much the same state of things. You attended the meeting?—A. Yes, sir.

Q. Did you address the meeting?—A. Yes, sir.

Q. All that passed was in good temper?—A. Yes, sir.

Q. You were treated respectfully?—A. Yes, sir; I was always treated with respect.

VALUE OF THE SHRIEVALTY.

Q. What is the value of your office there?—A. I guess my office pays about $3,000 a year.

Q. Is that the net profits?—A. No, sir; not the net; I do not think it exceeds $3,000.

BOTH WHITE AND BLACK DEPUTIES.

Q. How many deputies are employed?—A. One all of the time, and most of the time two.

Q. Colored men, or white?—A. White men. I have both. During the courts I have six or eight deputies. I have both white and colored. Whenever a colored man is competent to do my work I employ him.

WHITE REPUBLICANS IN ISSAQUENA COUNTY.

Q. Have you any white republicans in that county?—A. Yes, sir; some.

Q. How many?—A. I do not know how many; but there are four or five prominent republicans. There are perhaps fifteen or twenty that are republicans, but not politicians.

Q. How many of those white republicans hold office?—A. There is two. I do not remember now what republican is elected this last election. Stratton is county surveyor. He has been holding that office during the time I have been holding mine. We were appointed at the same time. He has been re-elected.

WHITE COUNTY OFFICIALS.

Q. How many white officials are there in that county?—A. Our clerks of the court are white; have always been white; and our county treasurers have always been white, and the surveyor is a white man.

COLORED LEGISLATORS.

Q. What are the members of the legislature?—A. They are colored men.

Q. Have you a senator in your district?—A. Yes, sir; we belong to a senatorial district; we have one senator.

ABOUT WILLIAM GRAY AND HIS SPEECHES.

Q. Who is he?—A. William Gray.

Q. Is he a colored man?—A. Yes, sir.

Q. Was William Gray the one who was commissioned brigadier-general of militia by Governor Ames?—A. Yes, sir.

Q. When was he commissioned brigadier-general?—A. Well, some time, I think, in 1875. I am not certain about it.

Q. Have you ever happened to hear William Gray make a speech?—A. Yes, sir.

Q. Did you ever hear him make a speech in Washington County?—A. No, sir; I never did.

Q. Do you remember when he ran for sheriff?—A. Yes, sir.

Q. When was it?—A. That was in the last election.

Q. In 1875?—A. Yes, sir; I believe he was nominated. No, he was a candidate, but afterward withdrew; at the nominating convention he withdrew.

Q. You have heard him speak?—A. Yes, sir.

Q. Did he make a speech of a violent character?—A. I never regarded him so. He was never much choice of mine, but I never regarded him as making violent speeches; I always thought he was very friendly in his speeches.

Q. Did you ever hear of his making a public speech or speeches in

this canvass when he was running for sheriff?—A. No, sir; not in my county.

ABOUT BROOKS, HIS GOOD CHARACTER AND FORCED RESIGNATION, AND THE OBJECT OF IT.

Q. You did not hear any of them when he ran for sheriff? Were there any charges made against Brooks for dishonesty or corruption?—A. No, sir. He was regarded by whites, as well as blacks, as a very honest and intelligent——

Q. Who was put in Brooks's place, or who took his place; who was elected?—A. A new county was formed in the last three or four months.

Q. Did this break up the county, divide it in two? They appointed a new board of supervisors for the new county?—A. Yes, sir.

Q. And left the old board in the old county?—A. No, sir. There were two members taken from the Creek district. They had taken two members from our portion. Brooks was not a member; he had resigned.

Q. Had his resignation anything to do as a cause of this new division of the county, and his living where he did?—A. No, sir. At that time the legislature had not created the county; it had not, perhaps, been thought of amongst us. I had not heard of it; it was sprung upon us.

Q. His resignation was in no way connected with the division of your county? It occurred before that?—A. Yes, sir.

Q. Who was put in his place?—A. They have had an election over there since and elected their members.

Q. And none was put in his place on the old board?—A. No, sir. It was a very short time after the resignation.

Q. What could be the object of the resignation; what was accomplished by it?—A. I do not know what could have been accomplished by it.

Q. As a matter of fact, was anything accomplished by it?—A. There was some prejudice arose against him on the part of the whites out there; I think on account of his brother. His brother had got into trouble there. I think that was it; but I have never heard any white man say anything against Brooks.

Q. Nothing at all?—A. No, sir.

Q. I will ask you if you know in any way what could be the motive in removing Brooks, or asking him to resign his office?—A. Here is my idea of it. The whites said that they intended to have control of the supervisors of the county. I think they just asked him to resign because they said they wanted control.

Q. After the county was broken, two new members of the board of supervisors became necessary?—A. Yes, sir.

Q. Are not both counties under control of your party?—A. No, sir. The county is divided into five districts; the boundary-lines run north and south. The first, second, and third districts are on the river, and the fourth and fifth was Deer Creek. Then, on the creation of the new county, the boundary-line leaves these two supervisor districts here, [indicating on the map;] of course we have no jurisdiction over there. But at the time of his resignation, this new county was not created.

Q. His jurisdiction extended to that then?—A. Yes, sir, it did, but before the creation of the county he had resigned. Since that they have had an election there, and they have divided into five districts, as we have always done.

Q. Both controlled by your party—both of them?—A. No, sir.

Q. What is the difference?—A. This is Issaquena; that is Sharkey.

Q. Which party controls?—A. Both are largely republican.

Q. Therefore the result is that they have made two republican counties out of one?—A. Yes, sir.

Q. How long a time from his resignation to the time of this action of the legislature?—A. I do not know when the county was created, but that his resignation was demanded some time in December, I think. I do not think the new county was created until perhaps January or February.

Q. A couple of months?—A. Yes, sir.

ABOUT THE LEVEE BOARD.

Q. Was there any business for the supervisors to do between the time of his resignation and the formation of the two counties; any important business for them to do?—A. Yes, sir. There was one meeting we regarded as an important meeting to the county. We had to elect two commissioners, what is known as the Levee board in our county. We had elected two commissioners to represent that county, and it was claimed there publicly that certain men had to be elected; the people were tired with the men that had been elected; that they wanted these men elected; and Brooks told me that they wanted him to resign; afterward they did not care, but they wanted him to resign then. I do not know as I remember exactly what he said, but I had a long conversation with him about it. My recollection is, he said they wanted certain men elected on the board, and did not think his party would elect them. They wanted them elected, and if they elected them they would be satisfied. That is the impression I got.

Q. The commissioners of levees are men who superintend the construction of levees on the river-bank?—A. Yes, sir.

Q. Is not that a very important office?—A. Yes, sir.

Q. Does the safety of the real estate of the county depend upon the keeping up of the levee?—A. Yes, sir.

Q. It is a very important office?—A. Yes, sir.

Q. The men who had been elected were not satisfactory—the men who were before commissioners?—A. No, sir; I do not know as they were. We elected a very eminent lawyer and conservative, a very popular man, one who had run for lieutenant-governor of this State on the democratic ticket, and I assisted in electing him. I thought he was a good man.

Q. Was not the whole of this question about the levee commissioners a question of property, and to protect property?—A. Yes, sir; I think it was. I do not know.

Q. Was the desire to control the levee commissionership for the purpose of procuring reliable men to keep that bank up, and protect the real estate of the county?—A. Yes, sir; I believe that it was. I think every man in the county was of the same opinion. I do not think that any one opposed any one on account of politics. I do not think the republicans did, because one of the members who was elected now has been spoken of by the republicans. I do not think there were any objections when it came to an election of that kind. I do not think there would be.

Q. Was, it then, purely a question of the protection of property?—A. Yes, sir; I believe so.

THE REASONS FOR FORCING BROOKS TO RESIGN.

Q. Then, if I understand you aright, and I only wish to understand you and get your mind, this man's resignation was requested by people who were interested in keeping the river-bank in good order, and

their only object was to get men more favorable to the accomplishment of this purpose?—A. That may have been their belief.

Q. Do you know of any other reason for his resignation than that?—A. Well, now, I think it is claimed by the democratic party—I think that they have stated it publicly—that our county was controlled, of course, by Yankees and niggers, and that they would not be controlled any longer by them. I do not think the colored people up there objected to what they said in the election. They claimed this: that they had a right to choose of themselves, although they wanted to choose men who they thought would be for the best interests of the country, and they have chosen such men; but if they were republicans, I think pretty much the same objection would be raised. They were willing to have any man that was satisfactory, so far as the property-holders were concerned. I know, in some instances, where we elected a man he was a conservative who——

Q. Is the maintenance of the levee a matter of considerable expense, and does it not require skill, thought, and attention to do it properly?—A. Yes, sir; I believe it does.

Q. If the levee is permitted to go down, and crevasses occur, would it not be ruin to the people who held property in that county?—A. Yes, sir; I think it would.

Q. Who were the owners of the property; were they, or not, white people?—A. The largest class.

Q. Don't they own the great bulk?—A. Yes, sir; the largest portion of it.

Q. Is it not a fact that they wish to have men belonging to the commission who would properly attend to the work, and not risk their property?—A. Yes, sir; we elected men from our county of that kind, we thought.

Q. Have there not been complaints among the property-owners of the way in which the levees were managed?—A. There have been complaints, but not against the men who were elected in that county. There is a general complaint of the whole levee system of the State—not in our levee district—and I have never heard of any case in any of the elections that have taken place in our county.

Q. I understand you to say that some one of the levee commissioners was a democrat who had been upon the ticket for lieutenant-governor?—A. I would say a democrat.

Q. He is a white man?—A. Yes, sir.

Q. And they wanted somebody else than him put on the ticket?—A. Yes, sir.

Q. Had they any other object than to get their property taken care of—any other possible object but that in regard to the levees?—A. Yes, sir; I think there is.

Q. State it.—A. I do not think there is any objection particularly raised to him at all.

Q. Is the office of levee commissioner a political office in a party sense?—A. I think not; I do not think it ought to be.

Q. Has it been known and treated as a political office, and to be controlled by the party?—A. No, sir; it has never been treated in that way.

Q. Yet you say that the request made for this man's resignation was in order to effect the control of the office, as you think?—A. Yes, sir; if I understand you aright. It was for the purpose of getting their choice, and not from any complaints made against any member particularly that I had ever heard.

Q. Yet the objective point of the resignation was the levee commissioner?—A. Yes, sir; I think that was it. Because no other charge had been made against him.

Q. He has not been molested or disturbed in any way otherwise than in regard to his office?—A. No, sir; I do not think he has.

DATE OF THE DEER CREEK MASSACRE.

By Mr. McDONALD:

Q. At what time did this disturbance or difficulty at Deer Creek take place?—A. I do not know exactly the date; but I think it was the same date as the Vicksburgh troubles—the same month, but the year afterward. The troubles were in 1875 in our county.

Q. What time in 1875?—A. In December, between the 4th and 10th, I think.

Q. After the election?—A. Yes, sir.

Q. About this disturbance at Deer Creek; that, too, was after the election?—A. Yes, sir.

CAUSE OF IT.

Q. The election had nothing to do with it?—A. I cannot say that. The colored people told me differently. They say it was on account of their being radicals.

Q. That was after the election, and could not influence the election?—A. No, sir; it could not.

RELATIVE RACE-POPULATIONS OF ISSAQUENA COUNTY.

The CHAIRMAN. Let it be noted that, by the census of 1870, the white population of Issaquena County was 1741 and the colored population by the same census was 6,146.

BOWIE FOREMAN—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 16, 1876.

BOWIE FOREMAN (colored) sworn and examined.

USED TO LIVE IN ISSAQUENA BUT WAS RUN FROM THERE.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I used to live in Issaquena County, but I was run from there in the December riot.

Q. Where do you live now?—A. I live on my brother's place, down at the lower end of Warren County, in Newtown.

Q. What happened that you came away from Issaquena County?—A. In December, when the election was over up there on Rolling Fork there was a white man; he was in a store——

Q. What was his name?—A. I don't know what was his name. He stabbed one or two colored men with a dirk-knife across the counter, and they got a writ of arrest for him and went there for him—two men did—but they would not allow them to have him. They put him behind the counter, behind a big box. The two colored men, they went there and took him out, and that started the fuss between the colored men and the white men, and the white men didn't want to let him go out.

Q. When was this, last December?—A. Yes, sir; about the first of December.

ELECTION WENT OFF VERY NICE.

Q. Did anything happen in Issaquena County before the election?—

A. No, sir; I was one of the judges of election. It went republican, the whole thing. I was a judge in the first district.

Q. Do you know anything about the election in the county?—A. In my county it went off very nice.

DEMOCRATS SAID THEY COULD NEVER DO ANYTHING WITH THE DAMNED REPUBLICANS, AND WOULD GO TO WORK AND KILL OUT THE LEADING MEN.

Q. You had no trouble.—A. No, sir; the democrats said it was no use voting; that they never could rule Issaquena County or do anything with the damned republicans; and they said that they would go to work and kill out the leading men and get the control. That was what they said after the election.

THEY WENT TO WORK, AND ALL THEY DIDN'T KILL OUT THEY RAN AWAY.

Q. When was that?—A. In December after the election, that they was going to remove the county. They went to work and killed out the leading men, and all they didn't kill out they ran away. They killed a fellow named Cornelius Washington, and Moses Johnson, a constable.

Moses Johnson went to see about this man lying in the cotton-patch, killed that night. He went there, and as he started there Elgin and Hunt and them got their sixteen-shooters, and came out in the road and told them that if they advanced they were going to shoot. They told the boy to open the gate, and said they were going to go to Rolling Fork.

Moses Johnson stops these men, and told Mr. Elgin that he was for no fuss at all; that he was a religious man, and elected by the people as a constable, and it was his duty to see what that man was murdered about, and to put him away. Elgin told Moses to go along back, that everything was quiet, and that the man was put away; and he told Mr. Elgin "all right."

That was on Saturday, and he went back home and reported the facts to the justice of the peace, and told him what Mr. Elgin said; that they were trying to arrest the man, and that he ran from them, and that was the reason that they shot him.

On Sunday morning I was sitting in my house eating my breakfast, and Mr. Hunt came in there, and I looks out at the door. He owed us some money, and he was paying my brother $50. I says, "What is all that coming down?" There was a lot of men coming with guns. Mr. Hunt went out and talked with them a while; and he came back to where we were, and said they had just come down to see the boys; that they heard that they were going to Rolling Fork, and that if they was not going it would be all right.

MOSES JOHNSON.

My brother-in-law, Phil. Johnson, said that the colored men didn't want to fight. I gets on my horse and went down there, and Moses Johnson returned up to church. This Captain Barr [so pronounced, but probably Ball] said to him, "What is your name?" He said, "My name is Moses Johnson. I am an officer." Captain Barr [Ball?] said, "Are you captain of a company?" and Moses said, "I am captain of no company; I am an officer of the peace." Ball said, "Didn't you go up to Rolling Fork Saturday?" Moses said, "I heard that there was a man there dead, and I went up there to see about it, as an officer of the peace."

They had some talk; and he said as how Moses ought to be killed anyhow. He asked Moses if he had got a parole of Mr. Elgin, and he

said he had not got any parole; and he said, "You had better go up and see Mr. Elgin and get your parole of him." Moses turns around to me and says, "Will you go up with me to Mr. Elgin's? I tells you I feels my death, but I puts my faith in God, and I don't fear anything. I saw my death last night twice. I saw these white men coming to kill me; but I am prepared and ready to go."

I told him that I would go with him; and we went up to see Mr. Elgin, and Mr. Elgin gave him a paper, and he takes it on back to the church; and the people said, "We cannot have any church now with these white men all around." And he says, "Let us have church just the same. If you have any faith in God you better try it now." And they said, "How can we hold church with all these men with sixteen-shooters?" And he said, "There is none of them going to bother you." And we went on with the church.

MURDER OF THE SIX NEGROES.

They commenced gathering about 4 o'clock that evening, just in droves, and they came on down to Mr. Hunt's, and got Moses Johnson and Rufus Heyward and Wade Hampton and Noah Parker and Arthur Brooks and Ned Moore. They had them locked up in the store.

And I said, "This means trouble. Why do they take these men and lock them up in the store and guard them for?" I said, "They are going to take these men out and kill them;" and the colored men said that they didn't know, but it did seem sort of suspicious. I said, "I bet you these men will be killed; there is no use talking." And we went back down home; and I noticed fully a thousand men.

About sundown they came tearing down in troops with their guns just glittering, and me and my brother Phil. got uneasy, and we went back home, and all the women came to my house and staid in the house Sunday night. My brother Phil. slept in the cane, but I wouldn't go. I said, "I am going to stay here if they do kill me."

About 11 o'clock I heard guns, and my sister got up and lit a light, and I asked her what time it was, and she said it was about 11 o'clock; and we heard the guns going off, and I says to her, "Do you hear those guns?" and she says, "Yes; what is it?" I says, "It is some of them boys killed; them boys is shot." She said, "Do you think so?" I said, "Yes; my mind never fooled me. I am going to send for Phil., and I am going down to see."

"DIDN'T WE SHOOT HELL OUT OF THEM?"

In a little while the horses' feet came down the road at a tremendous pace, and I heard one man say, "Didn't we shoot hell out of them?" One of them said, "That preacher went on so I had hardly enough heart to kill them." I says, "Sister, did you hear them say that, that they took and shot hell out of them fellows?" and she said she did.

I got up about daylight, and went on down, and just before we got to the quarters I saw where the horses had gone around in the cotton-patch.

FIVE BODIES FOUND.

We went on around that way, and the first one I came across was Wade, and the next was Moses Johnson.

I went on across a little creek to Brother Wilson's, who was a justice of the peace, and I told him; and he appointed me to go and hold an inquest over them, and see how they came by their death, and I got six men and went there; and while I was holding an inquest over them they reported three more dead up above.

ABOUT THE CORONER'S VERDICT.

I said, "How had this thing ought to be made out?" and some of the boys said, "Bowie, you have been an officer for some time;" and I said I didn't know how we would do it, except these men had been killed by white men to us unknown. Some of the boys said that they would put in that they were killed by these men we had seen; and Mr. Hunt says, "Bowie, how in the devil can you do that? You can just make out on the return, 'Killed by white men; don't know who.'"

These men were lying in a field, and I said to Mr. Hunt, "David, take hold and help bring these men out of the bushes." He turned around to me, and his face and neck was red, and he said, "You have got enough around here to do that thing." I said, "You were appointed to help us, and you can do it as well as anybody;" and he did help take the men out.

TWO WHITE MEN CAME AFTER ME TO KILL ME.

I took all the papers and everything out of their pockets and hats, and then went up to the other three men. It was a fearful sight; they were lying there butchered like hogs, and I told the men about these things, and Mr. Hunt told me I had better be careful about what I said. I said I didn't care, because I knew the men, and he went and told my eldest brother to tell me I had better get out of the way. Mr. Hunt said to Wilson, "You and Bowie better get out of the way;" and I steps out in the cane, and two white men came after me to kill me; and I went around in the cane and went on down to Mr. Hunt's. I says to him, "What do they want to kill me for?" He says, "You know who the men were, and you speak what you know, and you knows a good deal of the men, and if you stay here some of them will kill you so you can't testify, and I advise you to get out of the way. If you ain't got any money I will give you some money to get out of the way, because I don't want to see you murdered." He and I had been brought up together. He gave me some money to go away with, and I left.

I had 15 bales of cotton in the gin-house then; and I got away, and they followed me as far as they could. I left all my things and everything there, and I could not get anything—I left 150 bushels of corn—and daresn't go back for them.

By Mr. CAMERON:

Q. Who is Mr. Hunt that you speak of?—A. Mr. David Hunt.

Q. Is he a white man?—A. O, yes. He used to be my young master.

ABOUT CAPTAIN BALL.

Q. Who is this Captain Barr [Ball?]?—A. He is always called a desperado. He told Moses Johnson that morning that he had 10 men with him, and that he was prepared to whip out 500 niggers; that he was in for a fight.

SEVEN COLORED MEN KILLED.

Q. How many colored men were killed there at that time?—A. Seven. They killed one just about three or four days before; the one that Moses Johnson went up to see about. They killed the constable and the other six on Sunday.

Q. Did you know all the men that were killed?—A. Yes, sir. I have known Parker; he was a justice of the peace.

Q. What office did you hold?—A. I was appointed constable twice by Governor Alcorn and elected once.

Q. Do you know any of these men who came down there and were engaged in this killing?—A. Yes, sir; I know about ten or twelve.

NAMES OF THE ASSASSINS.

Q. Give their names.—Mr. Joe Robinson, Mr. Powells—I am going through with them, I will tell you, but my life will be in danger, but I am going to tell you all the truth—Mr. John Casey and Colly Casey, Mr. Pinkham, and Dr. Clements, John Clark, and a fellow by the name of John Diamond; Bija Hunt and Mr. Phillips and Mr. Eatman, and Mr. Wolfe and Captain Ball; that is all I can think of now.

Q. Where do these white men whose names you mention live?—A. Near Rolling Fork, in Issaquena County. They ran me away from everything, from my wife and everything, and she had to leave all her things up there—except a little valise.

WITNESS HAD TO LEAVE HIS PROPERTY.

Q. What property did you have when they ran you away?—A. Cotton and corn, sweet potatoes, and fodder. I had 15 bales of cotton there, 150 bushels of corn, a large stack of fodder, and about 40 bushels of potatoes.

Q. You left there with your family?—A. Yes, sir; me and my brother-in-law was cropping together. That had always been my home up there.

Q. Were you born right there?—A. I was bred and born in Jefferson, but before the war, when I was a little boy, I was moved into Issaquena County. I was raised by the people in Issaquena. After the surrender I came back from the Army. I was a soldier two years and six months, in the colored Sixty-sixth; and after I came back from the Army they got up a petition to Governor Alcorn, and the first time I was constable up there he appointed me, and I had two appointments from him, and I was elected by the people after that.

KILLED BECAUSE THEY WERE LEADING REPUBLICANS.

Q. For what reason were these colored men killed?—A. For the reason that they were leading republicans. Parker was; and Moses, he was a very capable man; and Brooks was a member of the board of supervisors at that time; but he withdrew from that to run for justice of the peace, and got elected; and Quillan, the democrat who ran against him, he beat him, and they didn't like it. They said they were just going to work and kill off the leading republicans and get them out of the way.

NONE OF THE ASSASSINS INDICTED.

Q. Have any of these white men been indicted for any of these murders?—A. No, sir.

Q. Has anything ever been done to these white men?—A. No, sir; nothing. They went to work and cut the county up, and put Rolling Fork like they wanted to have it, and they had an election, and there didn't two colored people go to the polls. They said they were just tired of living there under republican laws and negro rule.

WAS CORONER AND RECOGNIZED ALL THE DEAD MEN.

Q. Did you see all these men after they were dead?—A. Yes, sir; I had an inquest over them, and had the papers. I took the papers from them. I took $6 out of one man's pocket and sent it back to his wife. I was appointed to hold the inquest; the justice of the peace appointed me.

Q. Did you get through with your inquest before you were told to clear out?—A. I was just examining the last man, and commencing to make out my return.

DATE OF THE KILLING.

By Mr. BAYARD:

Q. You have named thirteen of these men whom you say were concerned in this killing?—A. Yes, sir.

Q. You have not mentioned the day of this killing.—A. I cannot tell the day.

Q. How long have you been down to your brother's place at Newtown?—A. It was along after the 1st of December.

Q. How long after the election was it?—A. It was about two weeks after election, as near as I can recollect.

Q. How long before Christmas was it?—A. About four weeks, I reckon. It was along in that time, because I took Christmas down to Newtown.

Q. You told about an affray in a store in which a man reached over and stabbed another?—A. Yes, sir.

A DRUNKEN AFFRAY BETWEEN WHITES AND BLACKS.

Q. When was that?—A. That was in the same month.

Q. How long after these men were killed?—A. Just about a week; seven days.

Q. What caused that stabbing?—A. The white man was drunk, and he cursed the colored man, and called him a damned son of a bitch.

Q. Who was the white man?—A. He was behind the counter, trading for the store-keeper.

Q. What was his name?—A. I could not tell you what his name was.

Q. He was drinking, and got into this quarrel with the colored man?—A. Yes, sir; and called the colored man a God damned black son of a bitch, and the colored man called him back, "You damned white son of a bitch," and the white man drew a knife and reached over the counter and stabbed the colored man.

Q. What did they do with the white man?—A. The colored men went after him.

Q. Who were the colored men that went there after him?—A. I could not tell you who they were.

Q. What did they come after him for?—A. To take him before a justice of the peace, I suppose, and have him tried.

Q. How many were there, white and black?—A. I suppose about ten on each side.

Q. Was the quarrel about that man being arrested and taken before the justice of the peace for stabbing the colored man?—A. Yes, sir.

Q. Was there any conflict between those two bodies of white and colored men at that time?—A. They had some fuss, and they wanted to take him out of the store, and the whites would not let them bring him out of the store.

Q. What was the result of that struggle to get him out?—A. The whites would not let them have him, and they just went off and reported that the negroes wanted to raise arms.

THE DARKIES DID NOT GET ARMS—WHITE FOLKS MADE THE FUSS.

Q. Did the black men, in point of fact, go off and get arms to get him?—A. No, sir; the darkies never went anywhere. The white folks made the fuss, and they took a lot of colored men and put them in an old store.

Q. How many colored men did they put in this old store?—A. About twenty of them, I am certain.

Q. Where had these colored men come from?—A. They had the men arrested, and these white men came there and said that they were not going to take the colored men; and they arrested a lot of colored men.

ARREST OF COLORED MEN.

Q. How many came there?—A. About fifteen or twenty on each side; and the white folks got the best of it.

Q. Did they fight?—A. Yes, sir; they passed shots.

Q. What did they fight with—guns or pistols?—A. Some with pistols and some with guns.

Q. Who was hurt?—A. Narry side. They put the colored people in a great big old store and put guards around them, and three or four white men got drunk and fired in among the colored men.

Q. Who were the twenty that were arrested and put in the old store?—A. I could not tell you their names. It was in the upper end of the county.

Q. You didn't know these twenty men?—A. No, sir.

SOME DRUNK WHITE MEN SHOT IN AMONG THEM.

Q. How long did they keep them there?—A. One night. There was some white men got drunk and shot in among them, and shot one fellow in the foot, and some white man said that they should not shoot and murder the negroes in that way, and stopped them.

A WHITE MAN INTERFERES AND LIBERATES THEM.

Q. Who was that?—A. I don't know.

Q. Don't you know him?—A. No, sir. He said he was going to let them loose; and he knocked the doors down, and they ran away. He said that they could not come there and shoot among them and murder them in that way.

Q. He opened the door and let them out of this store?—A. Yes, sir.

Q. And they went away?—A. And they went away.

Q. Where was that store?—A. At Rolling Fork.

MURDER OF THE SEVEN BLACKS A WEEK AFTER.

Q. Then how long after that time did these twelve men whom you have named come there and murder these seven black men?—A. About six or seven days from that time.

THE MURDERED MEN WERE NOT THE MEN ENGAGED IN THE ROW AT THE STORE.

Q. How did that come about; were any of the black men that were killed the men who had been concerned in this other row about the man at the store?—A. O, no, sir.

GOING TO KILL OFF THE LEADING COLORED MEN.

Q. What was the difficulty that led to the shooting of these other men; with whom had they had any quarrel?—A. They didn't have any quarrel, but they said they were leading men, and they were going to kill them out.

Q. Who said that they were leading men, and that they were going to kill them out?—A. They were the men I gave you the names of.

ABOUT MR. ELGIN.

Q. Where did you hear them say that?—A. I heard Mr. Elgin say that in his store. He said they said that they were going to kill all the leaders. He said that he knew that that would not do; that they hired the colored people to work for them, and lived off their support, and they would not do that.

Q. Where does he live?—A. He lives in Sharkey County now.

Q. Where would be the post-office at which he gets his letters?—A. Elgin's Store.

Q. Is he a country merchant?—A. Yes, sir.

Q. He was present when these twelve men had this talk, and one of them made this speech?—A. No. He said they had a speaking at Rolling Forks; that they had a big meeting, like we would have, a meeting of 30, 40, or 50 colored men to make speeches—what we would want to do. He told them that that would not do; to go to work and kill off all the leading men. He told me who they were.

Q. You didn't say that you heard these men make any speech?—A. No, sir.

Q. He told you that he had been down at this meeting where this threat had been made?—A. Yes, sir.

HE BELONGED TO THE BAND THAT MURDERED PARKER AND BROOKS.

Q. Who is this Mr. Elgin?—A. He belongs to the same band that killed those three men that were killed that night.

Q. Which men were killed that night?—A. Noah Parker and Arthur Brooks.

Q. They were two of the three?—A. Yes, sir.

Q. Where were they killed?—A. Near Mr. Elgin's store. They brought them down on Sunday morning and gave them to Mr. Elgin to guard until that night.

Q. They brought these men down to Mr. Elgin's, all three of them?—A. All three of them—there was Brooks, Noah Parker, and Moore; and they told him to guard them until they came back.

PRISONERS TAKEN OUT AND KILLED.

Q. What charge was there against these three men?—A. They said these men made threats what they were going to do; and they asks them about it; and they arrested the men that same Saturday, and had them give bonds for their appearance before a justice of the peace; and the men give the bond. The men appeared there on Saturday but they didn't have their trial, and that Sunday morning they took them away from this constable, put them in Mr. Elgin's store, and kept them there until Sunday night, when they took them out and killed them. They took them from Mr. Elgin's store about half a mile and killed them.

Q. Who told you this?—A. Henry Hagan told me so either the Monday or Sunday in the store. Every Sunday morning I goes to Mr. Elgin's store to get my drinks and cigars. I went there that Sunday morning, and says I, "John"—I always spoke that way familiar to him, because we were brought up together—"I want to go in and get a drink," and he said, "You can't go in the store." I says, "What is the matter now, John?" He says, "I have got some men in there, taking care of them; these fellows gave them to me to take care of until they got back." Monday morning I went up there again, and he told me that he gave these colored men to these white men and they took them.

Q. Do you know who the men were who took these men out from this store and murdered them?—A. There were about 200 of them; looked like about 400 that Sunday that they raised the riot.

Q. They took three of them to Elgin's store Sunday morning and left them there?—A. Yes, sir; and then they went down to the lower end of the creek to get the others. They shot the other three in a cotton-patch, and then went and got the three from Mr. Elgin's and shot them.

Q. Who told you of these men being killed, and who they were, and how many there were?—A. Henry Hagan told me how Noah Parker and they was killed near his house. I saw the men that Sunday evening. It looked as though there were more than two hundred; they were strung out two miles on the road, riding two ranks deep.

Q. Men on horseback?—A. Yes, sir.

Q. More than 200 men?—A. Yes, sir; more than 200 men.

Q. Where were these men from?—A. They came from up the creek; from Washington and Bolivar Counties.

Q. Had you ever seen these men before that time?—A. No, sir.

Q. They were strangers to you?—A. Yes, sir.

Q. Did they say anything to you?—A. No, sir; they didn't say anything to me. They spoke to me very nice until that Monday that they run me off.

THE SHERIFF OF ISSAQUENA WAS FEARED TO COME OUT.

Q. Who was the sheriff of the county?—A. H. P. Scott.

Q. Is he a colored man?—A. Yes, sir.

Q. Did he know anything of this?—A. Yes, sir; he knowed; but he was feared to come out. Some men went to him, and he told them that he could not do anything.

Q. How do you know that Scott knew it?—A. Because the men that ran off with me that morning said they saw Scott.

Q. Did you tell Scott of this?—A. No, sir.

Q. Do you know that he had knowledge of it?—A. O, Lord! Yes, sir.

Q. Who was the coroner?—A. I don't know, sir.

THE CORONER'S JURY AND THEIR VERDICT.

Q. Who held the inquest on these bodies?—A. I was appointed duly by the justice of the peace after they killed this constable.

Q. Whom did you summon as a jury?—A. Wilson White, a brother of mine, Louis White, Henry Hazen, and David Hunt.

Q. You summoned twelve men?—A. I summoned six men. I don't know who the other was now.

Q. Did you draw up a verdict?—A. Yes, sir; I had a verdict drawn up and left there with the justice of the peace.

Q. What was the verdict?—A. It was wrote out when I left, "Killed by white men, but unknown persons."

Q. That they had been killed, but by persons unknown to you?—A. Yes, sir; by persons unknown to me.

Q. The jury were all colored men?—A. All but one; Mr. David Hunt was the white man on the jury.

Q. Have you heard nothing of this since that time?—A. No, sir; I never heard nothing of it since then; I have seen plenty of people from there.

ISSEQUENA CUT UP—A NEW COUNTY MADE.

Q. What did you hear from there?—A. They said they made it go democrat after the election there.

Q. At the election, how did it go?—A. It went republican, but they cut the county up; they ordered a new election, and the whole county went democrat.

Q. Who told you that?—A. I saw it in the papers. My brother, who is in Newton, read it to me.

Q. How was the county cut up?—A. They cut some of the lower end of Warren County off and attached it to Sharkey County, and some off Bolivar County, and made it into another county. All the colored people came up and voted the democrat ticket, and voted it just like they had voted it all their life-time.

Q. When was this last election?—A. About a month ago.

Q. What was the new county called?—A. One is Sharkey, and the other is Issaquena.

THE COUNTY DEMOCRATIC NOW.

Q. Was there a new election in each of these counties?—A. No, sir; a new election in Sharkey.

Q. What was that election for?—A. Sheriff and clerks.

Q. You say that that election has gone democratic?—A. Yes, sir. They didn't poll but seven colored votes there. My brother Wilson, who lived there, came and told me about it. I have got sisters up there, and aunts and uncles.

Q. Whom did you leave in charge of your property?—A. I didn't leave anybody there. I didn't have time to attend to nothing; I gone off and left it.

Q. Who has got it in charge do you suppose?—A. I don't know; I was glad to save my life.

Q. Have you had any one sent up there?—A. No, sir.

Q. Was this man who was examined here just before you your brother?—A. Yes, sir; I could not go up there.

Q. Can't he assist you in claiming your property?—A. He can assist, but what good would it do for him to go up there and they have got everything in their power? If he went up there he would get killed. There was seven brothers of us, and four sisters.

Q. Where is your brother, Willson White, who came down to see you?—A. In Sharkey County. He would have had some of these folks subpœnaed from there, but they would not testify; they would not say anything for fear. My brother wouldn't tell me hardly anything when he came down. Of course, if he would not tell, he would not——

Q. Does he advise you to return to that place to get your property?—A. No, sir; he advised us not to come back to Issaquena County any more.

Q. He is up there himself?—A. Yes, sir. I have been advised by the folks not to go back there. Mr. Hunt told him to tell me not to go back there.

Q. Mr. Hunt was not concerned in that affair?—A. No, sir; but they made it their headquarters; they camped at his house, and fed their horses there in the yard.

Q. Were you at the election there in 1875, in the fall?—A. Yes, sir; I was there at the election in Issaquena County. I was one of the judges of election. I was always an officer there. At Issaquena County the democrats didn't poll more than a fifth of the votes. We always carried it. It was a smooth republican election.

Q. How was the election as to peace and quiet?—A. Peaceable and quiet.

Q. No trouble there, then?—A. No, sir.

Q. These troubles occurred two or three weeks after the election?—A. Yes, sir. The democrats ran them; we didn't get elected. They didn't poll over 50 white votes in that county. Our fellows polled over 600 votes. There was not 20 democrat votes, I think. Some of these big plantations are ten miles long and nothing but colored people there.

Q. Can you read or write?—A. No, sir; my brother-in-law can read and write, and has done my writing for me.

Q. What other office did you hold there?—A. I was on the school-board, but it was abolished.

Q. What else were you?—A. Constable.

Q. Were you ever justice of the peace?—A. No, sir; my brother, Phil Johnson, was justice of the peace.

Q. Whom did you send to the legislature?—A. Jones, a colored man, and Samuel Saunders, a floater—a colored man.

Q. Do you know them pretty well?—A. Yes, sir.

Q. Could they write?—A. Yes, sir; both of them.

Q. Had you any white officers in the county?—A. Mr. Mayer, he was county treasurer, and Mr. C. Jeffers was county clerk. Those were all the white ones at the court-house, and all the rest were colored.

Q. Did you own the land on which you were raising this cotton?—A. I rented the land from Mr. Hunt.

Q. Do the colored people in that county own much land, or do they rent it?—A. They rent pretty much all; very few that owns any land.

S. J. H. GROSS—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 17, 1876.

PERSONAL STATEMENT.

SYLVESTER J. H. GROSS (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Issaquena County.

Q. In what part of the county?—A. Mayerville.

Q. Are you living there now?—A. Yes, sir.

Q. How long have you lived there?—A. I have lived there the best part of my days.

Q. Were you a slave before the war?—A. I was.

Q. Have you acquired any education; any reading and writing?—A. Yes, sir.

Q. Can you read and write?—A. Yes, sir.

Q. When did you learn to read and write?—A. A portion of it before the war. I went to school since the war.

Q. Have you held any office in Issaquena County?—A. I have, sir.

MEMBER OF THE BOARD OF SUPERVISORS.

Q. What was it?—A. Member of the board of supervisors.

Q. When did you hold that office?—A. In 1874 and 1875, and I hold it at the present time.

Q. Do the board of supervisors appoint the members of the levee board?—A. They do, sir.

Q. When did you make your last appointments?—A. In January, 1876.

APPOINTED MEMBER OF LEVEE BOARD UNDER A THREAT.

Q. What occurred in connection with those appointments; how were they made?—A. Well, sir, the appointment was made under a threat.

Q. State all the circumstances as they occurred.—A. I suppose it is the appointment you are particularly inquiring after now.

Q. Yes, sir.—A. Before that, I had been waited upon by a committee of white men, who had asked me to resign my place as member of the board of supervisors. In this committee was Captain Farrish and other gentlemen; I did not know them particularly.

By Mr. BAYARD:

Q. What was Captain Farrish's first name?—A. I do not know, sir; I cannot tell you his given name.

A COMMITTEE WAITS ON HIM.

By the CHAIRMAN:

Q. When did this committee call on you?—A. I do not remember the

exact date, but they waited on me as I knows 'long about in December. I had turned my hands out picking cotton at the time, and I had taken my ax and went down in the swamp to cut some wood to haul in the quarters for my hands. This was about the time that this riot was on the creek, and when I came out with my ax on my shoulder some of the hands saw me coming, and they beckoned for me to go back to the woods; they told me to go back to the woods, and I said, "For what?" They said, "There is a body of white men—they ain't out of sight yet—just left here, inquiring for you." I said, "Well, I do not know; I have never done anything to any one, and may be killed myself, but I don't think I have any right to go back to the woods; I will go on and see what they want."

I came on up to the house, and my mother, an aged lady, who was there at the house, she said, "My son, I am sorry to see you come." I said, "Why, mother?" She said, "There is some men just left here; they said they wanted to see you; that they wanted you to resign your position, and that you had got to do it." I said, "Who were they, mother; do you know any of their names?" She said, "I don't know none but Captain Farrish. There was another gentleman with him by the name of Colonel Keaps; but they said that they wanted you to come to town this evening, and that you must be sure and come."

"ALL THE MEN THEY HAVE SENT FOR NEVER GETS BACK HOME."

"And," said she, "I don't want you to go; you see that all of the men they have sent for never gets back home." I said, "Mother, I have no fear of anything; I have attended to my business as an officer, and I have acted as a good citizen, and therefore I will venture to go and see what they want." And I did so.

In the afternoon I got on my horse and went up to Mayerville, the town where the county-seat is, and when I got there to Mayerville Captain Farrish—I stopped before I went to his office, and he met me on the street and said to me as I was standing in the street, "Gross, I want to see you." And I said, "Captain, I intend to come over pretty soon; that is my occasion of being here now; I heard you had been to my house to-day to see me, and I came to see for what cause."

"NO FAULT TO FIND WITH YOU, BUT WE WANT YOU TO RESIGN."

When I went into his office, said he, "Gross, I have been to your house to see you to-day, and the reason I went to see you is this: I was appointed as a committee in a meeting on the Creek"—that was held down at Rolling Forks, on Deer Creek—I don't remember the exact day that he mentioned at the time; "I was appointed as one of a committee, myself and Colonel Keaps," and two or three gentlemen that I was not acquainted with, "to wait upon you and ask you to resign;" and said I, "What for, captain; what is the objection to me?" He said, "Nothing, any more than we want to have a representation on that board of supervisors." Said he, "You have made a good member and we have no fault to find with you, but then we want you to resign."

I said, "I was elected a member of the board, and it was a fair chance; there was a man from your side was a candidate against me, and I and him were in the canvass together, and both stood at the polls together until we seen the last vote polled and seen them counted, and he said to me that I had made a gentlemanly and a fair and square run against him, and I had beat him bad and he was willing to submit. I claim that I was regularly elected, and I therefore declines to leave the office."

"BY GOD, WE SHALL GET IT BY FOUL."

He said, "Well, you won't resign?" I said, "No, sir; I will not." He

said, "Gross, I have asked you this;" says he, "By God! I have asked you this, and I have waited upon you, and we intend to have that office that you now holds. If we can't get it by fair means, by God! we will get it by foul." Those were the remarks he made to me.

Said I, "Captain Farrish, it seems mighty curious for you to make such remarks as that." He said, "We intend to have it, by God! I have asked you to resign; I went for you and waited on you, and I have asked you to resign; and what the result will be if you don't resign between now and to-morrow morning I don't choose to say here." Said I, "Captain, that is pretty rough; it is so." Said he, "Well, by God! I means it." Said I, "Well, if it is your intention to do anything, I am but one man, and you ought to go and give me a man's showing." "Well," says he, "there may be a body of men here between this and daylight; they may be here before midnight, or 10 o'clock—I don't know when—but they may be here, and that will be the last of you." Says I, "O, well, then, captain, I will look out for the trouble."

A GOVERNOR WITHOUT POWER.

I then took the boat and came here, and made my complaint to Governor Ames—he was governor at that time—and he said to me that he could not do anything for me; that I either had to resign or stand the penalty; that he was powerless at that time. Said I, "Governor, I do not know any one else to go to now, at the present state of things, and I don't know hardly what to do;" and I went on back home from here, and I got home on Saturday evening, and Monday was the first day of January.

Here is one thing that I omitted: The governor said to me that if I felt that there was any danger I needn't qualify on the first day of January; that I had thirty days to qualify in; and he said that I had better wait, and probably before the thirty days elapsed things would be more quiet and more safe than they were, and I came to the conclusion that I would do so.

HOW A CANDIDATE WAS NOMINATED BY THE DEMOCRATIC PARTY TO WHOM THE WITNESS FELT OBLIGATED.

On Monday, when it was the proper time for the board to qualify and proceed to business, I was notified from the democratic party that we was to meet; I did so. Of course I felt myself at that time somewhat obligated to them at the present state of things, and on Monday I goes up, and all the members of the board come there; and when I came there on Monday he says: "Now I want you to meet for the purpose of appointing the men whom we have selected to go to the levee board, and then you will tender your resignation at this meeting." This was Captain Farrish using these words to me.

Q. Was he a member of the board?—A. He was not; only a citizen of the county. Said I, "If this is the object for which you propose to commence business, I will not have anything at all to do with it." He said, "Yes, you must; you must appoint these men to the levee board whom we have selected." I said, "No, sir; if that is your purpose, I will get on my horse and go back home;" and I had got on my horse and started back home.

GENERAL WADE HAMPTON'S ADVICE.

Gen. Wade Hampton had heard of the way that they intended to do. Mr. William Anderson, who had been a candidate against me for member of the board of supervisors, told him, and he had got him to go down, and told him that he thought he could do a good deal of good there, and he did go down.

On this Monday there was an armed body of men there from the Creek, with their arms on them, and they was there in town. And as I started off Gen. Wade Hampton sent a man after me to tell me to come back; and I went back, and he told me—he says, "Gross, I have heard a good deal of talk of you, and I am somewhat acquainted with you, and I always thought that you were an honest man and a good officer; but the way the thing is going on here it is not legal, and I have come down here to-day to try and allay this difficulty. I was a general in the rebel army, and I am not afraid to fight if I am called upon to do so again. I am going to give you some advice as a man, and I hope you will take it: That you go and call the board in, and organize, and go into business, and do business like a man."

AN OFFICE-HOLDER ASSERTS THAT IT IS HIS DUTY TO LOOK AFTER THE INTERESTS OF THE MAJORITY.

He says, "If you will do that, you may rest assured that you shall not be disturbed." I said, "General, I am afraid to do that, the way the men are walking around here armed. If they gets us shut up there in the room they will have us in a trap there, but as long as we are out we have some chance." He says, "I will assure you that if you will go in and organize your board and proceed to business you shall not be molested." I said, "Well, General, if I have got to go in there, and cannot exercise my free sentiments, I don't propose to go in at all. I am a legally-elected officer, and I have a right to exercise my own free sentiments about who I shall appoint or elect to certain offices. I have got to look for the interests of the majority, and not according to the will of a few." He said, "Well, that is so; that is a pretty hard case; but you had better go in."

A QUIET ELECTION SCENE.

Sure enough, we went in and we took our seats. After performing the oath and thoroughly organizing as we should have been, we went in and took our seats. At this time they all crowded in the room—men with their arms on them, and two or three pistols on them—with their pistols in their pockets and their hands on them. They stood there and they had a list of the two members that they wanted us to send to the levee board on a piece of paper; and Captain Farrish held that in his hand. He said, "These are the men we want you to appoint on the levee board, and you appoint them and we are satisfied that fur."

I took the list and looked at the names, and says I, "Captain, there is one of these men was my own choice before I was requested in the manner that I am; but the other one I am not so well satisfied with."

OFFICE-HOLDERS WHO DID NOT WANT TO BE ASSASSINATED.

But the other members of the board then came to the conclusion that they would just put them two men in, as under that situation. Of course, we didn't want to be assassinated; and I saw the situation and the condition of things, and I just went with them, but I did it against my will; and we did this, and just went on to other business.

These other men that was aspirants for the same position, they told us that they saw our situation and the condition of affairs, and they said for us to just drop their names, and not to offer them at all; and we did so.

Q. What offices were these other persons that you dropped candidates for beside the levee board?—A. Only that office at that time.

CAPTAIN FARRISH CONSISTED FOR RESIGNATION.

Q. What was done next?—A. Well, that was about all that we done

—to appoint these men; and then the company commenced dispersing, and we didn't proceed to any further business then, only adjourned and left; and yet Captain Farrish said to me that he should consist for my resignation.

Q. What has been done about that; have you resigned, or do you now hold the office?—A. No, sir; I have not resigned.

REDISTRICTED THE COUNTY.

Q. Has anything been said to you about it since by Captain Farrish or anybody else?—A. No more than that meeting when the county was redistricted. After the county was divided then we three members that was left remaining from the old county—there was three of us, which constituted a quorum—we had to meet and redistrict the county in order to give five members of the board and five districts.

In that meeting Captain Farrish said to me that we would meet and redistrict the county, and then all tender our resignations, and let the whole county go to work and re-elect the five members.

Q. What did you say to Captain Farrish in regard to that?—A. I don't recollect anything I ever said.

Q. You have redistricted the county?—A. Yes, sir.

AN OFFICE-HOLDER WHO RESIGNED.

Q. And has there been an election in the new districts?—A. They have been elections appointed, but they have not been held yet. There was one of the members at that time did tender his resignation, which made it three districts with vacancies.

Q. Who was the man that tendered his resignation?—A. John T. Mitchell.

Q. A colored or a white man?—A. A colored man; and that left myself and Henry L. Mayer.

Q. Is Mayer a white man or a black man?—A. A white man.

Q. What are his politics?—A. I don't know what they are, sir.

Q. Don't you know what he calls himself; a democrat or republican?—A. No, sir; I don't what he calls himself. I have never heard him express himself.

ABOUT CAPTAIN FARRISH AND HIS FRIENDS.

Q. Has Captain Farrish, or anybody else, said anything to you since that about your resignation?—A. They have not.

Q. What was Captain Farrish's business?—A. He is a lawyer.

Q. Is his office at Mayerville?—A. Yes, sir.

Q. How old a man is he?—A. I don't know his age; but, from my judgment, I judge him to be a man about twenty seven or eight years old.

Q. How long has he lived there?—A. I have known him for eight years, nearly.

Q. Has he any club or company of men that supported him in his demands, or did he seem to be alone in making these demands upon you?—A. When he asked my resignation there was three other gentlemen with him, but I didn't know them. They were from the Creek, the back part of the county at that time, and they were strangers to me.

Q. Any others there at the time that you know?—A. Yes, sir; there was a gentleman that came in at the time, Captain Farrish was in conversation with him, that I knew from birth—R. M. Smith, jr.

Q. How old is he?—A. About twenty years old.

Q. Is he a native there?—A. Yes, sir; a native there; he was bred and born right there in the neighborhood.

Q. Why do you call Farrish, "Captain Farrish;" has he got any company there now?—A. No, sir; he was a captain, I believe, in the confederate army, and he goes by that same name now. It is a usual way that men that was ranking from lieutenants up in the time of the war—they are generally called by that name until yet.

A MAN OF SUBSTANCE NOW—A SLAVE BEFORE THE WAR.

By Mr. CAMERON:

Q. Do you own any land, or stock, or farming-utensils?—A. I do, sir.

Q. You can state what it is.—A. I owns horses, mules, cows, and a portion of land; and myself and my brother-in-law have bought a tract of land, 580-some odd acres.

By the CHAIRMAN:

Q. Have you paid for it?—A. Yes, sir; we have.

Q. How much stock have you on it?—A. I could not—to be truthful about it, I cannot really tell you how many there is, for the reason that they are bearing stock, like mares that bears colts, and they are grown up in the forests out there, and the colts have born foals.

Q. How many do you think you have?—A. Just to make a guess at it, about somewhere in the neighborhood of ten or fifteen head.

Q. Of horses?—A. That is of cattle and stock.

Q. Of all kinds?—A. Altogether; cows, horses, and mules.

By Mr. CAMERON:

Q. Have you acquired all this property since the war?—A. You mean become possessor of it?

Q. Yes, sir.—A. O, yes, I have. Of course I had no right to hold any property before the war.

Q. Who was your master before the war?—A. My former owner was old Dr. Stephen Duncan.

THE BOARD OF SUPERVISORS—ALL COLORED.

By Mr. BAYARD:

Q. How many members compose the board of supervisors?—A. Five members, sir.

Q. How many of them were colored people?—A. During my time of being in office it was all colored members until 1876.

Q. You mean up until the present year?—A. Yes, sir; they were all colored members from the time I have been a member up until the present year.

Q. All members of the republican party?—A. Well, I could not say they all were.

Q. You have been one of the board of supervisors of Issaquena County for the last three years—1874, 1875, and the present year?—A. Yes, sir.

Q. Until when were these five men composed entirely of colored men; until what time?—A. Until 1876.

Q. The first of January?—A. Yes, sir.

Q. Before that time they had nothing but colored men on the board?—A. They were all colored, right from the time of my being installed.

Q. How far from Mayerville do you live?—A. The nearest route is about five miles.

GENERAL HAMPTON'S TALK AND ADVICE.

Q. That is the county-seat?—A. Yes, sir.

Q. Where did you first meet General Hampton?—A. In the town of Mayerville.

Q. Had you known him before?—A. O, yes, sir.

Q. Does he own property there?—A. He owns one plantation in that county.

Q. How far from Mayerville?—A. I could not give you the exact distance, but somewhere between four and five miles from Mayerville.

Q. On the river?—A. Yes, sir; on the river.

Q. When he met you did he speak to you?—A. Yes, sir; he spoke to me; that is, he sent for me.

Q. Sent a man for you?—A. Yes, sir; down the road for me.

Q. Be kind enough to state just what he said to you.—A. He said to me like this: says he, "Gross, I have heard a good deal of talk of you, and I have heard that you was a perfect gentleman, and was prompt to attend to your business, and I heard of this trouble that has taken place, and I have come down here to-day on that occasion; and I want you now to call your board together and proceed to business. The river is rising"—this I didn't give in my former statement, but I omitted that. He says, "The river is rising now very swift, and we want men on that levee board to go to work on the levee; therefore, we are very anxious for you to proceed to-day at once, and make the appointments;" and he says, "I hope you will appoint good men." I think he said, "I have heard that they have asked you to resign;" and he said "The good citizens of the county don't know anything about that, and we ain't in favor of any such doings as that."

Q. He said that the good citizens of the county were not in favor of interfering with you?—A. Yes, sir.

Q. And were not in favor of your resigning?—A. Yes, sir; he said if there was anything wrong about that he proposed for the law to justify that.

Q. Did he say anything in regard to protecting you in case of anything of the kind being attempted?—A. He said that he had been a general in the confederate army, and that he was not afraid to fight, if he was called upon to do it. He did not say he would protect us, but the impression was that he meant to protect us that day.

Q. To protect you in your rights and in your office?—A. Yes, sir; that is the way I took the meaning of his words.

Q. He spoke to you kindly, civilly, and told you just what you have said to us?—A. Yes, sir.

Q. Did you say anything to him after that?—A. No, sir; he did not appear after that.

Q. You had no molestation at all after that time?—A. No, sir.

Q. He told you that if there was anything wrong they would look to the law to remedy it?—A. Yes, sir.

Q. That he disapproved of this attempt to remove you from the board?—A. Yes, sir.

Q. And that the good people were opposed to that?—A. Yes, sir; that they were opposed to any such doings as that.

IMPORTANCE OF THE MAINTENANCE OF THE LEVEES.

Q. Is not the maintenance of the levee along the banks of the river essential to the safety of the property of that county?—A. It is, sir.

Q. Is it a difficult and expensive thing to keep that levee in good and safe condition?—A. Of course, sir, it is.

Q. If any point on the levee is broken, is it not the same as if it was all broken—like a chain with a weak link in it, which renders the whole chain worthless; so, if any point of the levee breaks, does not that overflow the whole country as though a dozen points broke?—A. I cannot say that it does the whole, but it does a good portion of it.

Q. I mean that it floods the whole country?—A. No, sir; it don't do that; but it does a certain portion of the country—the low land; but there is high and low land.

Q. You are between the Yazoo and the Mississippi Rivers; your county lies between the two?—A. Yes, sir.

Q. Now, if the levees break, would not your county be under water?—A. A portion of it would be under water.

Q. A good portion of it?—A. Yes, sir.

Q. The most valuable portion?—A. I don't know about the value, but I know there would be a great portion of it under water.

ENGINEERING SKILL ESSENTIAL.

Q. Does it not only require labor but skill to properly attend to that bank?—A. Well, it do, sir.

Q. It would require some engineering skill to attend to that bank?—A. Yes, sir.

Q. In other words, one man might spend a good deal of money to no purpose, and another man would anticipate and spend but little to protect you?—A. Yes, sir; I understand.

Q. What have you got to say in regard to that?—A. I don't know any more to say in relation to that, only that it requires just what you say. It was necessary to give a great deal of attention to them and to have a good deal of skill.

Q. Have you in that county, since the war, suffered from want of skill and knowledge on the part of those who composed the levee commissioners?—A. Not more than I have always seen at times before. It is swamp-land, and it is very difficult in securing a levee there to keep the water out, because if you secure it in one place it will usually break in another.

Q. Has the tax been heavy, on account of the levee, upon the land?—A. No more than it has always been, as I know of.

Q. Do you know what the taxes were prior to the war?—A. I know by referring to the minutes and records of the proceedings.

LEVEE-INSPECTORS' OTHER DUTIES.

Q. Were you ever a levee commissioner yourself?—A. No, sir; I was not. I was at one time a levee inspector.

Q. By whom were the inspectors appointed?—A. By the levee board.

Q. What is the inspector's duty?—A. In time of high water it is to ride the levees, and particularly in inferior places, and see where it is likely to break, or anything of that sort; and he can call hands and put them to work on it, and notify the commissioner in the district; and in case of emergency he can call out any number of hands within ten miles of the levee.

Q. To stop the crevasse?—A. To stop the water from coming in, and prevent the danger.

RIVER RISING VERY BRIEFLY WHEN HAMPTON SPOKE.

Q. Was the river rising fast at the time that this conversation you have detailed took place between you and Captain Farrish?—A. It was at that time.

Q. And didn't the banks at that time need inspection and care?—A. They didn't; the water was not up to the banks at the time, but it was rising very briefly, and there was a probability of its coming out; but it hadn't come out at that time.

Q. But it was understood that the water was rising, and that the banks needed this attention?—A. Yes, sir.

ABOUT THE SUGGESTED CANDIDATES.

Q. Who were the two persons proposed to you upon the paper handed to you by Captain Farrish?—A. Judge Hayes was one of them.

Q. Who was the other?—A. The other gentleman was W. B. Brown.

Q. Were both parties known to you?—A. No, sir; Brown I didn't know. I knowed him when I see him; but I am not personally acquainted with him.

Q. How far does he live from you?—A. On the back of the county, out by Deer Creek, somewhere about Rolling Fork.

Q. Which was the one you had made up your mind to appoint when Farrish handed you the names?—A. Hayes was the man I had settled upon, as he was a large planter and land-owner there, and lived right on the river front; and I was of the opinion that he would have made a very good levee commissioner, and that he would give his best attention to securing and keeping the levees in good condition.

Q. Do you know whether the other man was not a proper person to appoint?—A. No, sir; I don't know that.

Q. You don't know anything about that?—A. No, sir.

Q. When you came to vote, there were five persons before the board?—A. Yes, sir; five.

"JUST A UNANIMOUS VOTE"—"ON THIS PRINCIPLE."

Q. How many voted for Hayes?—A. It was just a unanimous vote.

Q. Unanimous vote by voice?—A. No, sir; it was only just like you would tear up five strips of paper and write a name on it; and they were the only two names before the board at that time. The other aspirants for the position, they asked us to drop their names and not to carry them in at all.

Q. Then these two men were elected by your vote and the other four with you?—A. On this principle: we saw what the situation of things was, and we didn't know what would be the result if we went against it.

Q. Had application been made to the other members of the board for their appointment, as well as to you separately?—A. That I am not prepared to say, and I don't know that.

Q. As far as your knowledge goes, you were the only person to whom Farrish had made his application?—A. I saw him talking with the others, but I don't know what he said to them, and there is one of the members, I think, is himself here now.

Q. Did these two men who were elected that day enter at once upon the performance of their duties?—A. I don't know, sir.

Q. When was that?—A. January, '76.

Q. Do you know whether the bank has been kept up since?—A. I know the country has been overflowed.

AFTER ELECTION THE LEVEE BREAKS, "AS IT USUALLY DO."

Q. Do you think that has been a defective bank?—A. This break has taken place in the levee as it usually do every year. The levee breaks, more or less, every year.

Q. Has it ever been a year without that?—A. Not as I can remember at all since the war, and before the war.

Q. Do you know anything of the character of that break?—A. I do, sir.

Q. Was it different from other breaks in other counties?—A. Just as other breaks, where the levees were insufficient to withstand the body of water that laid against it.

Q. That has been the custom?—A. Yes, sir; even before the war it was so.

Q. What proportion of the property of the county is owned by white people?—A. Well, near all but a very little in that portion where I is; there is very little owned by the colored people, except some few own some stock and a little land.

WITNESS OWNS LAND, BUT DISREMEMBERS THE INDEFINITE AMOUNT HE PAID FOR IT.

Q. You said you and your brother-in-law had a tract of 500 acres?—A. Yes, sir.

Q. What did you give for that?—A. I don't know as I could tell you exactly, but I know it was somewheres over the amount of a thousand dollars. I disremember, unless I had the papers.

Q. Who did you buy it from?—A. A gentleman named Colonel Gilkey.

Q. Does he live there still?—A. Yes, sir; he owns a portion of land there himself right near, adjoining.

Q. How did you pay him for it?—A. Paid him in cash.

Q. Had you been planting before that?—A. All of my days.

Q. Had you been planting for yourself before you bought that land?—A. I was renting land.

Q. How long had you been doing that?—A. Ever since 1869.

Q. When did you buy the land?—A. I bought the land in 1873.

Q. You paid him then $500 for your share, and your brother-in-law the same for his?—A. It was something over a thousand. I could not remember the indefinite amount.

DUTY OF THE LEVEE-COMMISSIONERS.

Q. Have levee commissioners any power except merely to keep the banks up; is that their sole duty?—A. So far as their power is concerned, I am really unable to tell about their power, and their jurisdiction over the levees. That I am not familiar with.

Q. It is their duty to keep the levee in good order and attend to it; have they any other duties?—A. I don't know, sir, whether they have or not.

Q. Have they anything to do with the elections?—A. Nothing more to do with them, as I suppose, than any other citizens.

Q. Has their business any other object than the protection of the property of the county by keeping up the levees?—A. Not as I knows of.

Q. That is the only duty they have, is it, to keep that bank in order, and keep the water from overflowing the county?—A. I don't know of any other; if they has any other, I don't know.

Q. Was there or could there have been any other object in these men dictating to you whom you should put there than to see that men whom they trusted had the care of that important work, that was protecting their property?—A. I don't know, sir; I could not say what their motive was. If it amounted to anything else but that I don't know; I don't know the particulars about their duties outside of these officers as being these levee commissioners.

IDEAS AND RIGHTS ABOUT DICTATING NOMINATIONS.

Q. Was the idea of Captain Farrish in coming to you that it was the right of the people who own the property that they should have the say in regard to who should take care of the bank that protected them; was that the claim, that they had the property, that they owned the great bulk of real estate on which they had to pay taxes to keep up that bank, and as they owned the property and paid the taxes they ought

to have a right to say who should take care of the levee?—A. I don't know as to the right.

Q. I am not asking you as to the right; I only say, was that what they claimed?—A. He did not have that in his remarks at all when he brought these parties before me—that that was the ground he wanted them appointed on at all.

MEN NAMED, BUT NO REASONS GIVEN.

Q. What did he say was the ground upon which he wanted them appointed?—A. He only say that these were the men that, "We, the people, has selected, and we want them appointed on the levee board;" and he did not give any reason for saying that he wanted them appointed.

Q. One of the men was a man whom you knew yourself and wanted to appoint?—A. Yes, sir.

Q. The other man was a man you did not know?—A. No, sir; I didn't know him.

Q. Can you say whether he was a proper person for the office?—A. No, sir; I cannot.

NUMBER OF BLACKS AND WHITES IN ISSAQUENA.

Q. How many colored people are in that county?—A. I really don't know.

Q. How many white people?—A. I don't know the exact number of how many there is of either.

Q. How many do you suppose of the whites compared with the blacks?—A. I don't know, sir.

The CHAIRMAN. Issaquena County, by the last census, has 6,146 colored persons, and 741 white persons.

By Mr. BAYARD:

Q. You have got nearly nine colored people to one white person in that county. In your appointments before that time, had you ever consulted the white people at all about the persons that you put there?—A. I had, sir.

OLD MAN BOB SMITH OFFERED AN OFFICE, BUT HE DECLINED; AND SO DID THE OTHERS.

Q. Whom did you consult?—A. Old man Bob Smith, the father of this gentleman I made mention of here before; I consulted him, and told him he was a man owning property there and had large possessions, and I felt it was the duty of some of them to be on that levee board; and he said to me that he would not accept the position. I suggested it to several other white gentlemen there, and I told them that I felt, as the law made it the duty of the board of supervisors to make these appointments, that they ought to appoint some men that owned land on the river-front and would take an interest in keeping the levees up, and keep up as good a levee as they could; and at that time there did not any one seem to care to accept the appointments at all.

JUDGE JEFFREY ACCEPTS.

After that, Judge Jeffrey, he came before us and offered hisself as a candidate, and there was no one opposed to him, and the board went ahead and appointed him.

Q. Is he a good man?—A. Yes, sir; a very good man.

Q. Does he own property there?—Yes, sir.

Q. Own a plantation along there?—A. Not any plantations in that portion, but in that county; and some that are protected by that same levee.

RIVAL CANDIDATES FOR THE PLACE.

Q. Who were these aspirants you spoke of for that office?—A. One was one Jonny Joe.

Q. Who is he?—A. White man; and Judge Jeffrey, he was an applicant for being re-elected.

Q. Who was the other?—A. I don't remember the other gentleman's name now.

Q. What did Joe do; what was his business?—A. He rents land in the county; a planter, I believe.

Q. Do you think he is a good man for the post?—A. I did at that time; it was my opinion that he was a good man.

Q. Had Jeffords been satisfactory to the other land-owners there?—A. That may be; I don't know, sir; I have not heard any complaints against him.

Q. They did not nominate him, however, to you?—A. No, sir; this time was the first time that ever any person was nominated before this board—at this last January meeting.

WHY HE NEVER COMPLAINED OF THESE FRAUDS.

Q. After this first threat was made to you by Farrish you went over to see the governor of the State?—A. Yes, sir; I came down here to see the governor.

Q. And he told you that he was powerless to aid you; could do nothing at all?—A. Yes, sir.

Q. He did not send you to his attorney-general, or tell you to take any legal steps at all?—A. No, sir.

Q. Have you made any complaint in regard to these frauds?—A. No, sir; after I had come here to Governor Ames and saw him he did not give me any instructions to do anything further. He did not see what I could do.

Q. But you know there is another administration here?—A. Yes, sir.

Q. You have not been to ask them?—A. No, sir.

Q. Have you since been molested?—A. No more than what I have told you was said to me in the redistricting of the county, after it was divided up, by Captain Farrish. When I was examined by one of the other gentlemen I said to them that, after the county was divided, that left three members in the front——

Q. On the river?—A. Yes, sir; and that three members constituted a quorum; and then we had to go to work by an act that was passed by the legislature and redistrict the county in order to bring it in five supervisors' districts. At that time Captain Farrish met me and told me that we could go to work and redistrict the county, and then all of us tender our resignations; and let the county go to work and elect five members, new out-and-out.

Q. Did the law require that?—A. No, sir; it did not.

Q. The law allowed the three to remain on until the end of their terms?—A. Yes, sir.

Q. Has there anything been done about that?—A. No, sir; nothing been done in regard to that. We went to work and redistricted the county, and ordered the election; and there has not been any further steps taken.

Q. Has there been an election for the other two?—A. Not yet.

WHY A COLORED OFFICE-HOLDER RESIGNED.

Q. Did you say that one of your associates resigned?—A. Yes, sir; Mr. Mitchell.

Q. Why did he resign?—A. I don't know, except he said the country

was in such a condition now they looked like they was bitterly opposed to colored men holding office, and he was afraid if he continued in office there might be something done to him, or he might be hurted, and therefore he would resign before anything was done. He made these remarks before the board.

Q. You have two supervisors, then, left; yourself and one other?—A. Yes, sir.

Q. And you will have an election of three more when?—A. The board has already ordered their election, and then you see there is the board of registrars that has to appoint the day that the election will be held.

Q. That has not been done yet?—A. I don't know whether they have done that or not.

Q. You have had personally no molestation?—A. Well, no, sir; no more than just what that was said; and, of course, what I heard I don't propose to give that as testimony; but I have heard threats since that.

WHY WITNESS WILL RESIGN.

Q. From whom?—A. I did not hear it myself, but from that I came to the conclusion of resigning myself rather than for these threats to be done; so I told them at the last meeting. I said to the sheriff and the clerk that I was going to resign; that I would tender my resignation at the July term. There has not been any meeting since then. It is my intention; I am yet under that impression to resign, and I intend to do it, because I have heard of threats, and I had rather resign than to be hurted, or molested in any way.

Q. As a matter of fact, have you been hurt or molested in any way, other than you have stated?—A. No, sir.

Q. You have experienced no personal injury?—A. No, sir.

Q. And no injury to your property?—A. Not at all.

Q. Do you know Scott, the sheriff of your county?—A. I do, sir.

Q. How far does he live from you?—A. Right in the county-seat.

Q. Did you tell him anything about this application to you to resign?—A. Of the application that was made to me by Captain Farrish?

Q. Yes, sir.—A. I did not have to tell him anything about that; but he was there in town, and of course I talked to him upon the subject.

GOOD CHANCE FOR A COLORED OFFICE-HOLDER TO BE HURTED.

Q. What did he say to you?—A. He said to me that he would rather have me not resign; and he said, "If I were you I would not resign." I said, "Well, Mr. Scott, I see there is a very good chance for me to be hurted, and I would rather resign than for my life to be taken;" and he said to me that he would rather me not to resign; that I had made a good officer, and he would rather see me hold on.

Q. He advised you then to retain your office?—A. Yes, sir; he did.

Q. How long since you saw him?—A. I saw him the other day, sir; since the summons came to appear here.

Q. It was he who summoned you?—A. Yes, sir.

Q. Did he say anything to you about your resignation at that time?—A. No, sir; he only just said that he had a subpœna.

Q. Had he been down here then?—A. He had, and just come back, I think.

Q. Did he have any talk with you about what he had stated?—A. He did not.

ABOUT FARRISH AND KEAP.

By the CHAIRMAN:

Q. Is Captain Farrish a land-owner up there?—A. No more than a little tract of land there that he has got an office on.

Q. He is not a planter?—A. No, sir.

Q. Does Colonel Keap own land?—A. Yes, sir.

Q. He was with Captain Farrish?—A. Yes, sir; and the other gentleman I didn't know of.

WITNESS DOES NOT APPROVE OF COMPULSORY NOMINATIONS.

Q. Even if these men, Mr. Hayes and Mr. Brown, were the best men in Issaquena County for levee officers, do you consider it is a proper way to do business, for men to go to the supervisors and order them to appoint these men?—A. No, sir; I know it ain't.

E. F. WILLIAMS—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 17, 1876.

PERSONAL STATEMENT.

E. F. WILLIAMS (colored) sworn and examined.

By Mr. CAMERON:

Q. Where do you reside?—A. Issaquena County.

Q. How long have you resided there?—A. I always resided there.

Q. Were you a slave before the war?—A. Yes, sir.

Q. Have you any property there now?—A. Yes, sir.

Q. How much? Recite generally what your property is.—A. I have got two horses, a wagon, and a half interest in two hundred acres of land.

Q. Have you held any office in that county?—A. Yes, sir.

Q. State what offices you have held.—A. Member of the board of supervisors.

Q. When were you elected a member of the board of supervisors?—A. I was elected in 1871, and I have received an appointment from the governor since that; and then I was elected in 1875.

Q. Are you able to read and write?—A. Yes, sir.

Q. When have you acquired your education; since the war?—A. Yes, sir.

THE ROLLING FORK ASSASSINS WENT FOR WITNESS.

Q. Now you may state whether or not any threats were made to induce you to resign your office. Just give the story in your own way.—A. Some time in December, I don't remember the day now, but the first they called a riot—I could not say whether it was a riot or not; they may call it a riot—occurred at Rolling Fork, the time that they killed Parker and Brooks and those other men up there, I was advised by some of my friends that I had better leave; that they were coming after me on Tuesday night. I told them that I didn't know about it. That was on Tuesday morning. The news came to me again Tuesday evening about twelve o'clock.

Q. What were you told?—A. That there was a body of men coming there to get me out and shoot me; and I taken their advice and came off in the boat, and I laid over that night at Choctaw Landing. I was informed that night that the men had come.

Q. To your place?—A. Yes, sir; came to the place and came down to the boat and called for me.

A STEAMBOAT CAPTAIN SAVES HIM.

Q. How many men came?—A. I never seen them. I don't know ex-

actly how many, but I know they came to the boat and the captain told them that I had paid my fare on the boat and that I had gone to bed, and that he would not have me interfered with; and they still insisted that I should come out, and he insisted that I should not come out, and finally they went back.

IS OBLIGED TO LEAVE HIS HOME.

Then, on the 1st of January, I brought everything away from there, and quit.

Q. Where did you stop from that time to the 1st of January?—A. In Vicksburg.

Q. You staid there all the time?—A. Yes, sir.

Q. How far is that from your home?—A. One hundred and ten miles it has been called.

Q. Why did you remain in Vicksburg during that time?—A. I was afraid to go back.

GOES TO QUALIFY AS SUPERVISOR—ARMED MEN ORDER HIM TO NOMINATE THEIR CANDIDATES.

Q. Now go on and state what happened the 1st of January?—A. The 1st of January I went up and qualified, having been elected.

Q. Where did you go to qualify?—A. To Mayerville City, Issaquena County; and I met Mr. Gross, and the other two members of the board of supervisors; and I also met some men from the Creek there; and the board went in to qualify, and those men went in at the same time.

Q. These men from the Creek?—A. These men from the Creek.

Q. How many of them were there?—A. There was between ten and twelve.

Q. Did you observe whether they were armed or not?—A. Yes, sir; they were armed; they didn't have any guns, but they had their six-shooters around them.

Q. Strapped around them?—A. Yes, sir.

Q. What happened when you went in to qualify?—A. We went in there to qualify, and they told me this: that they had certain business for me to attend to.

Q. Who told you that?—A. One of the men from the Creek.

Q. Were those men white men and democrats?—A. White men, supposed to be democrats; and he told me he had some business for us to attend to, and I asked him what it was—at least the board did; and they told us that they had men to appoint to the levee board. I told them that was our immediate business for coming up; that we would not be so urgent to be there on the 1st January if the law didn't require us to meet on the 1st day of January and appoint these men to the levee board, and that that was our immediate business up there.

THREATENS LIFE IF HE DECLINES.

They said, "We were appointed as a committee, and we have got certain men that we want you to appoint." We told them that we had selected the men that we were to appoint, and I believed they were good men for that position. He then insisted again that I should appoint their men; that we must do it, and then he told me that if we didn't appoint those men to the levee board he could not guarantee my life; that I would not be safe in going back to the Creek, and he could not guarantee me my life if I didn't do it.

SAME THREAT IF HE DOES NOT QUALIFY.

I told him that if that be the case we better not qualify. I says, "If that be the case, that I can't appoint the men that I think is right to

the levee board, I don't think it is right for us to qualify; we better not qualify;" and they then insisted on it that we should qualify, and repeated the same words, that if I didn't qualify that they could not guarantee me my life.

QUALIFIES—OBEYS DICTATION.

Q. You did qualify, then?—A. Yes, sir; I did qualify, and the argument came on about the appointment of these men, and we were to make no appointment without we could make the appointment that we had selected, and the men we had selected to appoint; but, finding that there would be a row kicked up, and probably some lives lost, they withdrew their names as candidates, and told us that we had better do as they said; and on that ground we appointed the men they had asked for.

THEN THEY RENEW THREATS AND COMPEL HIS RESIGNATION.

Q. Have you resigned your office since that time?—A. Yes, sir; I resigned the same day, on the next day, I think. He came to me then and read my resignation; he came to me before I had made those appointments, and said that if I made the appointment I would be safe, and if I didn't make it I would not be safe; and after the appointment was made he came to me then for my resignation, and said if I didn't resign that my life would be in danger; that there was certain men there that they could not manage.

Q. Who told you this?—A. Mr. Hall.

Q. And under those threats you resigned, did you?—A. Yes, sir.

By Mr. BAYARD:

Q. This is the same transaction that Gross speaks of?—A. Yes, sir.

Q. You are the person whom he spoke of as being a member of the board of supervisors with him?—A. Yes, sir.

Q. And you resigned under compulsion, as you state?—A. Yes, sir.

DERRY BROWN—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 17, 1876.

DERRY BROWN (colored) sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Issaquena County.

Q. How long have you lived there?—A. I have been there for the last eight years.

Q. Where were you before that?—A. I lived in Louisiana; was bred and born in Jefferson County.

Q. In this State?—A. Yes, sir; and at the surrender I was in Louisiana. I came over here and staid down in Jefferson two years, and then moved up to Issaquena, and have been there for the last eight years.

Q. What did you do in Issaquena?—A. Farmed.

Q. Do you own any land yourself?—A. No, sir; only a renter.

Q. How much land did you rent?—A. I was on a little place called the Kehoe place; three hundred acres.

Q. Do you know anything about the killing of some people in Issaquena County, in December last?—A. Yes, sir.

A GANG OF WHITE MEN CALL AT A PLANTATION AND ARREST SOME BLACKS.

Q. Tell the committee what you know about it.—A. Along about that time on a Monday or Sunday—the first commencement was on Sunday—there was some white men that came down to my neighborhood, Mr. Watson's place, and called for some boys, and called for a good many of the boys; had them on a roll and called their names at the time they came; they was all in arms just the same as men were going to war.

Q. How many were there that came?—A. I could not say really, but I think there was about twenty. I think there was twelve or fourteen in one gang and about ten in another.

Q. You say that they called a roll of the boys; do you mean the colored men?—A. Called the colored boys; such ones as they wanted to get hold of, they said.

Q. How many did they call?—A. They called Wash. Hamilton, a fellow by the name of Wade Hampton, and Jimmy Robinson, Bill Hughes, Dan Lawson, Jack Williams, and Silas Baldwin; them ones they called at that present time.

NOTHING BUT YOUNG LADS.

Q. These boys that they called, were they men that had taken part in politics, or not?—A. No, sir; they was all lads, nothing but young lads from eighteen to twenty years old about; and they said they caught one of the boys that evening, and after the boys seen them in arms there was a great many of them got out of the way; they got very excited and got away. One of the boys they taken up out of that neighborhood at that present time, who was Wade Hampton, and carried him along with them up as far as Mr. Hunt's.

THEY WERE KILLED.

Q. How far was that?—A. That was five miles from that place; no person had any idea that they were going to kill him or anything of that kind; didn't know that they would kill him; and next morning news was that Wade was dead, and three other men that lived at Hunt's. You see, the people were all very much excited—that was Monday morning—we heard so many deaths at that time.

A WHITE GENTLEMAN SHEDS TEARS ON HEARING OF THE MURDER OF A COLORED BOY.

Dr. Ellis, Mr. L. W. Watson, and myself were planning for me and my brother, Charles Brown. We were planning about the lease of a place I was on, to arrange my business about that lease, and so on; and about that time Dr. Ellis came up at Onward, below me, and at that time a man came up and told Mr. Watson that Wade was killed; and at this Mr. Watson fell in tears and walked off from me at the same time—he was a boy that he raised—then he walked back to me and asked me to go and see positive, was it so or not; so I went up to near Cammack to see whether it was so, and I found out whether it was so or not; and I came back and told him that it was positively so; and I met Dr. Ellis going up to see a man that they shot that same Sunday evening up to Cammack—this same set of men. He said he was going up there to see him, and would be back directly to Mr. Watson's.

He asked me to wait for him until he came back, and I staid there and waited until he came back; and he says, "I want you to go with me and see these men and see if we cannot have this thing stopped." I told him, "All right." I told him it was very distressful times in the

country now, and that I thought I was standing in fear mightily to go up there; and he says, "No; if you go with me there you won't be in danger."

THREE MORE BLACKS KILLED.

So I goes as far as Mr. Hunt's store—him and myself and Mr. Parker Ferguson and Harrison McPherson and Wash. Hamilton; and when we gets up there we heerd talk of three more men being killed at that time in another place up to the Sixteenth Section.

I said to the doctor, "It won't do for me to go any further, for these men will kill me off just so;" and so I says, "Well, I don't know what to do, really." "Well," he says, "it won't aid to go further;" and shortly after that they all consulted there together. We had a good many. The colored people were there; and I asked them the cause of the killing of those boys.

A WHITE GENTLEMAN'S ADVICE.

I said this to Mr. Wright, who was a man that I had confidence in, right in the presence of a good many of them there: "What was the cause of the killing of those people; didn't we have a jail here? We had officers here in this county, and if the people had been so disagreeable they could have deputized people, and carried them over to the jail; if one man couldn't done it then they could have deputized others to carry them, without killing them."

Mr. Wright says to me, "Well, Derry, it can't make two wrong things be a right thing; the way to do this is to try and make a compromise with them and decide the matter, and then bring it up, call a special term of the court, and bring it up before the court."

A BLACK MAN'S REJOINDER—COMPROMISE SUGGESTED.

Said I, "Mr. Wright, that would be a very good idea providing that you all would take an interest to do it; providing that you would go now and arrest some of these men that done this damage, and let them come before the court; but you all would go on their bonds and smother it up, and let the matter be smoothed over in that way, and there would be no trial; that it would do no good to carry them to court."

He said, "That is the only way I see to get the thing decided; to make a compromise, because there will be a great many more of them killed."

I said, "I am for peace, and I tries to live inside of the law, and when I gets outside of the law I don't ask for any protection at all."

Then John Elgin came up, and Mr. Elgin states, "Derry, I don't know anything about these men going down last night; I tried to keep them back all I could." That is what he says to me; and he says, "They came up last night and said they shot a boy at Cammack, and they were sorry for it."

I said, "Is it possible that these men told you that they shot him last night, when they shot him about 4 o'clock yesterday evening?" He says, "I don't know what time it was; but then I sent to town for Dr. Ellis to come and wait on him, and I would pay for him myself."

Well, I called the doctor out, and asked him right before Mr. Elgin, I said, "Doctor, what time was it that man was shot at Cammack?" He says, "About five or four o'clock; somewhere near that time."

Mr. Elgin says, "The best thing you can do is to try and make a compromise, unless you want to fight; if you want a fight you can get a fight."

I says to him, "These people here don't want any such trouble like

is going on, and I say you ought to take more interest than you have to prevent such carryings on. They have got nothing but their shotguns to kill squirrels, ducks, &c. What do you suppose they want to go riding around through the country the same as desperadoes do? They have got better sense than to do that; they know that they would be rebelling against the United States."

He says, "Well, that is the only way to decide it, and we better call a meeting for a compromise, and make a compromise of it. That is the onliest way I see to get it decided." He says, "Well, Derry, you know I have been a friend to you." I says, "Yes, Mr. Elgin, and I have been a friend to you, but you knows what kind of a man I am. I believe in straight business; I don't believe in trying to indulge my race in a wrong thing any more than I wish you to indulge yours." He says, "Yes, I believe that is true."

I said, "I am for peace and harmony;" but the thought came over me—I commenced to get afraid; so I commenced checking my feelings; I saw them gathering. I suppose if I had went about half a mile further I would have been killed at that time. So I said to him, "I am for peace and harmony; any time you will call a meeting amongst the colored and white, I am willing to do what I can; but I want to know how you are going about it and what way you want to make a compromise. These men is killed, and killed wrongfully, and killed as though they had been people burning down or doing something violent. We had a jail that they could put people in and let them be tried by the court; and then if they were to be hanged, or killed, or shot down, they could have been did so."

Then he says, "To make peace you have got to appoint men on a peace committee—appoint so many men to go up and wait on the committee, on Colonel Ball," which was the president, "up to Rolling Fork." He says, "You have got to go up to Rolling Fork and make a report, and then you will have to abide by it." I said, "All right;" and we all went off.

WHITE AND BLACK COMMITTEES APPOINTED.

It was getting pretty late in the evening. I went down and tried to get the people to understand, according to what I understood from the white people about making a compromise; and they appointed some four or five from the different places to go up and wait on the committee. The committee went up a Tuesday—that was on Tuesday morning; and so many places compromised, but leaving so many men spotted to be killed; to leaving so many men out to be killed, like saving you and killing me; so on like that.

Q. Was that the understanding between those two committees?—A. That was the understanding between the committees.

Q. Who were on that committee?—A. Some of the colored people and some of the whites.

Q. Who were appointed by the colored people to go to Rolling Fork?—A. Andrew Hoy, Jack Hill, Jerry Carson, Wash. Hamilton, David M. Mickey, and Philip H. Johnson.

Q. That makes six?—A. Yes, sir.

Q. Who were on the white men's committee?—A. Mr. Parker Ferguson, David Hunt, Captain Kehoe, and Dr. J. W. Ellis; that is all that I remember.

Q. Those are four?—A. Yes, sir.

ABOUT COLONEL BALL, THE PREACHER.

Q. Where did these two committees go?—A. They all went up to Rolling Fork, before Colonel Ball, who was the president of these parties

of the white men. He gave them these instructions to carry out what they did.

Q. What instructions were they?—A. To go around and kill out the men, I suppose. They all had to appear before him.

Q. What was his first name?—A. I don't know; he was a preacher.

Q. What was done at the meeting before Colonel Ball?—A. They made a compromise there that all the people--certain people could stay in the county, and certain ones could not stay; and confined the committee to catch certain ones and bring them up before him, Colonel Ball.

Q. Who were the ones to be caught and taken before Colonel Ball?—A. A good many.

Q. Name some of them.—A. Bill Hughes is one, and George Williams is another, and Frank Anderson and Fred. Bell.

Q. How many were there that were to be caught and brought before Colonel Ball?—A. Really I cannot remember the number, but there were ten, I reckon.

Q. Now you spoke of some who were to be killed?—A. Yes, sir.

Q. Were they the ones?—A. They was the ones that was to be killed, or abide by certain rules what they laid before them.

Q. What happened after that meeting?—A. Those people all had to leave; I had to leave there myself.

Q. Were you one of the ten?—A. Yes, sir; I am included in one of the ten; Charles Brown, my brother, likewise.

Q. What reason was given at the meeting of the committee why you and your brother and those other people were to be brought before Colonel Ball, or killed?—A. My belief is this about that: We had to be brought before Colonel Ball because that they considered that we didn't abide by the rules of the committee; that is, to sanction the committee to go up and help the parties to organize a committee to go up to meet Colonel Ball.

WHAT THE ASSASSINS OF THE EIGHT BLACKS PROPOSED AS A COMPROMISE.

Q. You were against compromising?—A. Yes, sir; I was against compromising. I think they thought that I had a little influence around me, by the way that I spoke to them, I suppose, and that was the reason that they wanted to get hold of me; particularly more so than they did any of the balance.

Q. What did they want to compromise?—A. They wanted to compromise in killing those eight men that they killed; I think it was eight.

Q. That is, so there should be nothing said or done about it?—A. Nothing said about it; that everything would be decided by them; and when these didn't abide by the rules that they had laid down, that the committee had made, they would have to be served like the balance of them.

Q. What was done; were those ten men caught, you and your brother and the rest?—A. No, sir; none of us was caught but myself; they scattered all over the country. I have been caught.

WITNESS ARRESTED AND LODGED IN JAIL.

Q. What was done with you?—A. I was put in the work-house in Vicksburgh about six weeks afterwards, and I staid there about four hours, and then I was handcuffed and put chains on to be carried back to the Creek to be killed. I supposed that, and I got Judge Lea to come and wait on me at Vicksburgh. I got him to wait on me, and that is the reason why I have got loose to-day so I can be here.

Q. Judge Lea released you?—A. Yes, sir; he had me carried to the city marshal's, Johnny Woods, and asked them what right they had to have me arrested; and finally he had me turned loose, after he looked at the affidavit that they had against me; and after he done that, the man that had me in charge, Tom Groom, went up and got Captain Speers to go before Squire Mound, in Vicksburgh, and make out a warrant for my arrest; and Judge Lea went up there and waited until he got the warrant made out and swore to it, and asked the justice if I could not give bonds for my appearance at the circuit court; and he told him, "Yes;" and by that I am here to-day—just on that account.

Q. You gave bonds?—A. Yes, sir; I gave bonds for my appearance at the circuit court; and I went up to the circuit court in Issaquena at the time the court was in session; but there was no person up there to appear against me.

Q. Do you know a Col. William Givens?—A. Yes, sir.

ABOUT COLONEL GIVENS.

Q. Did you have any conversation with him?—A. Yes, sir; I met him before that. I met Colonel Givens in Vicksburgh before that.

Q. What is he, a democrat?—A. Yes, sir; I was with some of my fellow mates, boys that I lived close by in Issaquena, and he walked up and spoke to them, and shook hands with them, and didn't shake hands with me. So afterward I called him in the office and said, "Colonel, what sort of a way is that you treated me?" He said, "Well, I understood that you were going to kill Mr. and Mrs. Watson." I said, "Colonel, that is not so; I never made any such threat like that since I have been born. I have always tried to live a peaceable and harmony life, and I tries to live respectable and treat every man respectful. You might have asked me about it rather than treat me that way."

So I got a letter from Mr. and Mrs. Watson, that they never made any such report about me at all, and I handed that to him and asked him to read it. In that letter he said, "It is a damned lie, which somebody or another got up about you, and I am going to find it out;" and then he went on to say that at the time that Hooker was up there——

Q. Was he the candidate for Congress?—A. Yes, sir. He said the time when Colonel Hooker was there making a speech, this same flagrance would have been in hand that day, but that the boys were not ready. I says, "Is that so?" He told me it would have been so; "You fellows would have seen hotter times than that if it hadn't been just at the time that they did it." I said, "I don't know of anything of the kind; I thought that this was about the peaceablest county we had; that the people were prospering and trying to make a living in this county."

WITNESS TO BE KILLED BECAUSE HE HAD GOT A LITTLE COURAGE IN HIM.

He says, "That is what you fellows have got to do, if you knows well; we all won't be controlled by you damned republicans no longer; we don't intend to be controlled by you no longer; though I don't live in that county, and I have not got anything much to do with it." He said that they all wanted to elect Mr. Watson—that was an old gentleman there—for treasurer; "but," he says, "I am not firm anyhow; I would just as soon have a damned dog as to have him." He said, "Well, your best plan is to stay away from there; if you ever go back there they will try to kill you; you have not done anything particular; but they think you have got a little courage in you, and they will turn out and kill you." I told him that I thanked him for his advice.

PROPERTY LEFT BY THE WITNESS.

Q. Have you been back there to Issaquena?—A. No, sir.

Q. Have you got any property there now?—A. Yes, sir; some of it up there. I have got three head of stock of cattle kind of my own, and I had over four hundred bushels of corn, and a house full of fodder, about two thousand bundles.

Q. What has become of that?—A. The people has got it all in their hands pretty well up there.

Q. They have taken it away?—A. Yes, sir.

Q. You have not received anything for it?—A. I have not received anything for it; and I had about thirty bales of cotton.

Q. What has become of that?—A. I tried to make arrangements with a man who I owed the rent to, and give him a power of attorney to go over there and arrange so that I could come up and gather my cotton; but he went over there and they would not accept of him; and they ask him if he was coming to defend me otherwise in my course; did he wish to take our property? And he told them, "No; I believe the boys just wish to get their money matters right, if you men don't want them in the country." Then he said, "I have no objection to their getting their money, but they had better not come back there no more." That was Mr. Joe Robinson; he remarked that to Mr. Thomas Hunt.

Q. Mr. Thomas Hunt went up there for you?—A. Yes, sir; I had 12 bales of cotton lying in the gin, and there was another man trying to get it, to get the rent from me, and he was the proper man to pay it to. I also tried to get him to help me get my corn and my hogs. I had twenty-two or twenty-three hogs, and my fodder, and thirty-three bales of cotton I had all ginned out. I never has recovered anything at all for it.

Q. Are you afraid to go back there?—A. Yes, sir; I am afraid to go back without alteration. I am not afraid to go back, but I would not like to go back there without there was some alteration in the county, and in which it is very doubtful, because, anyhow, all over Mississippi State, I believe——

Q. Did they charge you in Issaquena County with committing any crimes?—A. They never has.

CORNELIUS WASHINGTON KILLED.

By Mr. BAYARD:

Q. Had there been before this time, before the killing, first of these three men, and then the other three, any riot or trouble there between the black people and the white people?—A. Well, they had killed one boy. Mr. Elgin told me this Friday three weeks ago in Vicksburgh. I met him there, and he said that Harrison Smith, who was a justice of the peace there, issued a warrant for him to go and bring a man by the name of Cornelius Washington—to go and arrest him. I don't know on what ground they arrested him; I can't say positive; and he said it was about 10 o'clock at night, and he went to Cornelius's house, and Cornelius came on out and stood a piece from his horse, and Cornelius told him he was going to get his mule, and go to Rolling Fork with him, and as he went to get his mule Cornelius ran, and he then shot him. He was shot four or five times.

Q. Who was Cornelius?—A. A colored man.

Q. Who was the man that shot him?—A. A white man.

Q. Was he a sheriff or constable?—A. No, sir; no officer at all.

Q. What warrant had he?—A. I don't know about the warrant, but I say he was no sheriff, or constable either.

Q. Had he a warrant from the justice to arrest this man?—A. That is what he said.

Q. Had he in fact?—A. No, sir; I really don't know; I am myself confident he didn't, because——

Q. What was Cornelius charged with?—A. I don't know that.

Q. Had he done anything wrong?—A. Nothing that I knows of.

Q. Who was the justice from whom he said he got this warrant?—A. Harrison Smith.

Q. Who is he?—A. A colored man.

Q. Did he issue the warrant?—A. He says he didn't do it.

Q. This person, then, went up under the pretense of having a warrant to arrest Cornelius?—A. Mr. Elgin said that himself. He told me that he shot him; he told me this Friday past—yesterday was three weeks ago—in Vicksburgh.

Q. Why did he say that he shot this man?—A. Well, he said that he ran from him; he said he had a warrant for him.

Q. Did he say what offense Cornelius had committed?—A. No, sir.

Q. Did he say what the warrant was for?—A. No, sir; they was going around taking up a good many men at that time.

ARRESTED FOR INCITING RIOT.

Q. When you were arrested at Vicksburgh, who was Tom. Groom, who made the charge against you?—A. Just a carpenter what had been up on the Creek at that time, and he was implicated with these men—those that was riding around through the country at that time; and he had taken me up, supposing to gain a prize with the party; just to have it said that he had taken up a good man, and I think he done it in order to gain praise.

Q. What justice of the peace did he go before?—A. He got a policeman, Johnny Woods, of Vicksburgh, and taken me over and carried me to the work-house.

Q. What writ did they have?—A. Got that from David Mickey, one of those men that is on this committee. Stays at Georgianna Hunt's place; that is what the warrant said.

Q. What did he charge you with in the warrant?—A. He said I was inciting riot.

Q. In Issaquena County?—A. Yes, sir.

Q. And they had you arrested in Vicksburgh for that?—A. Yes, sir.

Q. Who was this Judge Lea that came to your aid?—A. He used to be an attorney there in Vicksburgh, and has got only one leg.

Q. What is his first name?—A. I don't know any more than Judge Lea.

Q. Is he a lawyer?—A. Yes, sir.

Q. Where were you handcuffed?—A. In Vicksburgh.

Q. By whom?—A. By the work-house keeper.

Q. Who is he; do you know his name?—A. No, sir; but Johnny Woods is the man that taken the handcuffs off me at his office.

Q. Who set you free?—A. Judge Lea did.

RELEASED BY JUDGE LEA.

Q. Before whom did he take you?—A. Judge Lea had me turned loose in the morning, because he said that they had no right to take me up there; and then, after that, they had me in Tom. Groom's hands to carry me up on the creek; they had got me handcuffed, and were about to carry me aboard the steamer Delia, to carry me up to the Creek, and at that time I went by the marshal's office and I met my attorney there, and he asked Tom. Groom what right he had to have me arrested, and

asked him if he was a constable or deputy sheriff, or what he was; and he says, "Only temporarily, sir." He says, "Well, I advise you, then, to turn Brown loose; you have no right to have him arrested, a bit more than you have me." I suppose he had been talking with Mr. Wood before I got there; and so he turned in and turned me loose.

Q. What did you say about your going back again and giving some bond to appear before the court?—A. And then, after they turned me loose, Groom went before Squire Mound and got Captain Speers—what is here—got him to make out a warrant for my arrest before Squire Mound; and Judge Lea went over to a justice's office to see him to have me released, and he afterward went out of that office and went to the Squire Mound's office, and found him there making out this warrant; and he said that I would give bonds for my appearance at the circuit court or any proper court; and so Squire Mound granted him the privilege of my giving bonds, and I did so.

Q. How much?—A. I gave $250 bonds.

Q. Where did you have to appear under that bond?—A. In Issaquena, before the circuit court.

Q. Did you go?—A. Yes, sir; I did.

Q. What was done with you?—A. Nothing done, more than a good deal of expense.

Q. You were discharged?—A. Yes, sir.

Q. Then where did you go?—A. I came on back down the river again, and I have been working around about Vicksburgh ever since. I have not been stopping anywheres particular. I went below Vicksburgh about twenty-three miles, and I tried to farm there this year, but I have not done anything; the waters has been over my land.

Q. You left your place up Issaquena last December?—A. Yes, sir.

Q. And have not been back since, to stay?—A. No, sir.

Q. Are you married?—A. Yes, sir; I have a wife and four children.

Q. Where are they?—A. Down there with me, where we are stopping now.

Q. You brought them away from Issaquena?—A. Yes, sir.

Q. Do these men, Andrew Hoy, Jack Hill, Jerry Carson, &c., this committee of black men, live there now?—A. Yes, sir.

Q. All live there?—A. Yes, sir; that all lives there now.

Q. Where did Parker Ferguson, David Hunt, Captain Kehoe, and David Ellis live?—A. I don't know where Captain Kehoe lives now; he is in Memphis, but he was on that committee at that time.

ABOUT THE ARMED AND MOUNTED WHITES.

Q. Where did the men whom you saw there, these mounted men—you said you saw twelve or fourteen—live?—A. These men lived there, the largest part of them.

Q. Where does Parker Ferguson live?—A. In Issaquena.

Q. Where is his post-office address?—A. I don't know, sir.

Q. What does he do?—A. Farmer.

Q. Where does David Hunt live?—A. A farmer on Georgianna plantation.

Q. Where is Captain Kehoe?—A. In Memphis, I reckon.

Q. Is he a Mississippi man?—A. A Tennessee man.

Q. Nothing to do with that county?—A. No, sir.

Q. Who is Dr. Ellis?—A. He was living at Onward at that time with Mr. Ferguson, and is a doctor, and has got no land.

RESULT OF THE ROLLING FORK CONFERENCE.

Q. You didn't see these committees when they met at Rolling Fork?—A. No, sir; I saw them when they were adjourned.

Q. Had the colored men met then?—A. They all met together.

Q. The colored men met this white committee?—A. Yes, sir.

Q. What was the result of that meeting?—A. The result of that meeting was there was so many men—they compromised for so many men; and so many men were left out to be brought up by the committee to Colonel Ball, who was the president—like this committee authorized a president of the committee, and you all setting, and so many to be brought up before this committee; that is, some eight or ten; myself and some more.

Q. When and where was that committee to sit?—A. At Rolling Fork.

Q. When?—A. It sat there for so many days afterward.

ABOUT COLONEL BALL.

Q. Who is Colonel Ball?—A. I can't tell you; they just call him Colonel Ball; he has been preaching there; I reckon you can get his name here in Jackson.

Q. What was his first name?—A. I only know him as Colonel Ball.

Q. Where does he live; where is his home?—A. In Tennessee, I think. Mr. Groom told me that he had gone back to Tennessee.

Q. Did you understand this to be an association of which he was the head?—A. Yes, sir.

Q. How many were in it in this association of which Ball was at the head?—A. I can't tell you really. I think a good deal of the Mississippians was in it; that is, all the democrats was in it. He was at the head of white folks, laying plans for them.

Q. And he lives where?—A. He was at Rolling Fork at that time.

Q. What I want to find is where Colonel Ball is and who he is—something about him.—A. I can't tell you nothing about his name any more than "Colonel Ball."

Q. Have you ever seen him?—A. No, sir; I never seen him. He preached at Rolling Fork—Mr. Featherston knows him, a young man—his mother is at Vicksburgh.—Mrs. White—Mrs. White is his wife's mother—and he preached there with him several times. I think really that Colonel Ball was at the head and gave orders, same as a general would do to soldiers, and so on.

Q. How many had he under him there?—A. I don't know, sir. The boys said there was something like two or three hundred there at Rolling Fork at the time when they went up there, spread all along—pickets all along the way as they went up, about five or seven miles; and they had to go through their pickets to get to Rolling Fork.

Q. You mean this committee when you say "boys;" these seven men you have named?—A. Yes, sir; they said they had to go through the pickets to go on up, and when they got there they insisted that they could not do anything more than agree with whatever was said.

Q. When was this?—A. Along in December, I can't say what time exactly.

Q. You cannot tell any better where this Colonel Ball is to be found than you have stated?—A. No, sir. After I came to Vicksburgh this Tom Groom said to me, "You was one of the parties that tried to start a riot in Issaquena." I says to Mr. Groom, "How could I have started the riot when I just got home that Saturday night? I had been away all the week, and I got home about one o'clock on Sunday morning; don't tell me that I started any riot."

Q. Who is this man Groom?—A. Nothing but a carpenter; stops at Vicksburgh generally, but he was up on the Creek at the time the riot was. He is there now; he went up there last Saturday. He says, "This Arthur Brooks came down after you and your brother." I said, "He didn't

do any such thing;' and then I stopped my feelings—checked myself right off, and said, "Look here, you say Arthur Brooks came after me and my brother: what side of the Creek did he come on; did he come by Watson's or Hunt's?" He said, "He came on the opposite side of the creek from your house." Then I said, "How do you know he came after me?"

WITNESS IS NONE OF YOUR DESPERADOES.

He said, "Well, I know he came. They said you said you would not be satisfied until they had killed five or six white men, one for every black man who was killed." I said, "I never made any such remark as that. I want you to understand I am none of your desperadoes. I works for my living; I tries to help people as I wishes to be helped myself, and I don't want you to stain me with any such conduct; and, furthermore, if you wanted me out of the county you mowt have give me a chance to go there and get my property before you makes any such a statement as that, and then if I could not stay in the county give me a chance to get my property together. I had to leave there like a dog, and leave all my property for you up there." He said, "No person wants it except Mr. Wright, and he wants your produce to ship." I says, "I have been doing business with Mr. Wright three or four years, and I want you to understand that he is as good a man as there is, and he has not cheated me at all;" and, if he had, I was satisfied with what I got anyhow, and that he needn't throw any of his slurs at him like that.

WITNESS GETS THE BETTER OF MR. GROOM.

He walked off from me and then came back and says, "What word are you going to send by me?" I says, "I don't want to send any word by you at all, sir." He says, "How are you going to arrange your business?" He says, "If you had come back there, Brown, I just tell you I would have tried to have killed you myself; I was going to try to do it; I was intending to do it," and all this kind of thing. Said I, "Mr. Groom, that is poor policy. Would you kill an innocent man without giving him any chance to make any statement? That is poor policy. I have got the advantage of you here. Why don't I try to kill you? Here I am talking to you like a man. Why don't I try to kill you?"

GROOM'S WILL MAKE IT DAMNED HOT FOR WITNESS.

He says, "I will make it damned hot for you if you go back home." I said, "Mr. Groom, I let you know this, when I live inside of the law I look for the protection of the law. I endeavors to keep inside of the law and to abide by it, and I almost as soon would be dead and buried as to have a man oversee me something like my old master used to do; that goes pretty hard."

WITNESS DENIES THE CHARGES AGAINST HIM.

He says, "Well, what do you want me to do?" I said, "You can say anything you want to about me, but I say that the crimes you accused me of I denies them. I denies that I ever said what you say. I didn't say I wanted to kill anybody there."

WON'T GO BACK LIKE A DOG, A RUNAWAY.

He said, "Well, I am going back, and I will write back to your merchant a letter that will give you real satisfaction."

About two weeks or three weeks I went back down to Vicksburgh again, and I met him there again, and he was sitting down in the store where I had business, and I says to him, "Why didn't you write the letter back that you promised to?" He said, "I didn't intend to do it;"

and we sat and talked awhile. "Well," I says, "Mr. Groom, it is all right; I don't intend to go back to the Creek, unless I can go back like a man, and not go back like a dog, a runaway. If I have got to take to the woods, I have got to know that I have got no protection in the county, then I will take my chances in the woods, like a runaway or a deer; but I don't care about going back up there as if I was a runaway."

GROOM ARRESTS HIM ON A WARRANT.

He says, "That is so;" and we sat and talked a while, and he got up and walked away from me and walked out of the door, and got a city marshal, a constable or policeman, to come up there, and they made out a warrant.

He says, "I have got a warrant for you." I says, "A warrant?" He says, "Yes." I just walked outside of the door and looked at him and stepped right back inside of the door, and I says, "Mr. Miller, I wish you would fix up and give bonds for me, if you please;" and he says, "I will try and arrange it;" and he went up and got Mr. Luke Lea for me, and he came there and looked over my papers and letters, and said, "Well, Judge Hill aint here, neither is Judge Brown, and I don't know hardly what to do for you at this present time." I says, "Well, Judge, you must fix it somehow or another; it is a case of necessity, for if you don't make some protection for me, these fellows are going to kill me. See if you can't get Judge Brown from Jackson." He said he would write over for him immediately, but he didn't know as he would come as he was holding court; but he says, "I will try and fix it up; I will go to dinner, and I will come back and try and fix it up for you in some way." I said, "Don't be too long about it, for these fellows are fixing to kill me."

They put hobbles on my legs, and handcuffs on me, to carry me to the Creek after I was turned over into Groom's hands. I said, "Mr. Groom, you told me a while ago you were going to aid me all you could, and you guaranteed me that you would aid me, and now you come and put hobbles on me as though I was a prisoner condemned to death. I would rather you would kill me, and be done with it, than to be fixed up in that way. I would just as soon be killed outright." I said, "You persecute me like as though I was a prisoner." He said, "You are a prisoner." I said, "On what ground? I have not killed anybody. If I have got to be took up in this way, here is a jail; put me in Warren County jail; I am willing to be put in jail, or you take me up to Issaquena and put me in jail." He says, "No; I want to carry you out on the Creek;" and I says, "You are not fixing to do a thing with me but just to kill me, and you won't give me a chance for a trial; that is all I want, and then if I am to be killed I will take my chances for it." I said, "Carry me to the marshal's office;" and I then when I got them to go to the marshal's office with me, I got to see my attorney there, and by seeing him there I was relieved in my feelings, and also got the handcuffs off me.

Q. Was there anything ever done with this man Groom?—A. No, sir; nothing at all. D. B. Ball was one of the men who made affidavit against me before Dave Mickey.

Q. Did Ball know anything about it?—A. He was the one that made affidavit, and he must have known all about it. He was the man that I expected to meet at the circuit court.

Q. When you came up there, he was not there?—A. No, sir; or any of the others. He was the first one that made affidavit out, and then he got Captain Speers to make another prosecuting affidavit against me to carry me up to the creek.

WILLIAM S. FARRISH—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 19, 1876.

WILLIAM S. FARRISH sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where is your residence?—Answer. In Mayerville, Issaquena County.

Q. What is your profession?—A. An attorney-at-law.

Q. How long have you lived in Mississippi?—A. Since the day of my birth, about thirty-three years ago.

Q. You were born here?—A. Yes, sir.

Q. How long have you lived in Issaquena County?—A. Between five and six years.

Q. Do you live there still?—A. Yes, sir.

Q. Were you there during the canvass and election of 1875?—A. I was, sir.

Q. Did you take part in that canvass?—A. I did, sir.

QUIET CANVASS AND ELECTION IN ISSAQUENA.

Q. Will you state to this committee the general character of that canvass as to peace and good order?—A. I never saw a more peaceable canvass in my life, and never saw a more quiet election.

Q. Did you canvass the county yourself?—A. No, sir, I did not; but at different times during the canvass I was in different parts of the county.

NO VIOLENCE OR INTIMIDATION.

Q. Will you state whether, to your knowledge, there was any act of violence or intimidation toward lawful voters in that county?—A. None that came under my observation; none that I heard of. If there had been, I would have heard of them.

Q. Where were you on the day of election?—A. At Mayerville, the county-seat.

Q. What was the character of the election on that day?—A. Perfectly quiet and peaceable in every respect. The polls cast about as large a republican majority as has been cast in any year heretofore.

Q. About the same majority?—A. About the same majority at those polls.

NO DEMOCRATIC INCREASE OF VOTE.

Q. Did you increase the democratic vote through the county?—A. No, sir; I don't think it was increased at all.

WHITES, BLACKS, AND REPUBLICAN MAJORITY.

Q. What is the proportion of white and black in Issaquena County?—A. I think there is about one thousand eight hundred registered majority; but all didn't vote at last election. I think the republican majority was between fourteen and fifteen hundred in the county.

BOTH LEGISLATORS COLORED AND ILLITERATE MEN.

Q. Who did they send to the legislature?—A. A man by the name of Jones, and another by the name of S. H. Sanderling, a floater betwen Issaquena and Washington Counties.

Q. What are the races of these men?—A. Both colored men.

Q. Do you know them both?—A. I know them both.

Q. Are they capable of reading and writing?—A. They are both of them very illiterate men; probably can write their names, but I doubt whether either of them could calculate interest or do the simplest arithmetical problem.

BOARD OF SUPERVISORS.

Q. Who were the board of supervisors elected in 1875?—A. The board of supervisors consisted of S. J. H. Gross, J. T. Mitchell, Buck (I believe his name is R. S.) Williams, and one white man down in the lower end of the county by the name of Henry L. Mayer, who ran on the republican ticket. I forget the name of the other man. He was a colored man, however.

Q. How many are there?—A. Five in the county.

Q. Is Mayer a white man?—A. Yes, sir.

Q. What is Mitchell?—A. A colored man. Gross is a colored man, and Williams is a colored man.

Q. The whole republican ticket were elected?—A. Yes, sir.

Q. Four blacks and one white?—A. Yes, sir; and all on the republican ticket.

Q. You re-elected an entire republican board in 1875.—A. Yes, sir; the board prior to 1875 was composed exclusively of colored men.

WITNESS MAKES HIS STATEMENT ABOUT HIS THREAT TO GROSS AND WILLIAMS.

Q. Gross has been examined as a witness here, and he has stated to this committee that you called upon him after the election, prior to the meeting of the board of supervisors, of which he was chairman, at his residence, and, not finding him there, you requested his family to send him up to your office; that he went over to your office in Mayerville, and that in your office you requested him to resign his place as supervisor; that you did it with an oath; that on his demurring, you stated that "by God!" he had to resign, and in that way demanded from him his resignation as a supervisor of that county; and that you also said that you could not be answerable for the consequences if he did not resign. I wish to know what your statement is with reference to that.—A. I would like to explain the whole circumstance, if permitted to do so.

Q. You can take your own way to answer it.—A. Shortly after the difficulties at Rolling Fork, concerning which I suppose you have already heard, I was written to by a party of gentlemen from Rolling Fork, and requested to hold a meeting—to call a meeting—as chairman of the executive committee of the tax-payers of the county, at Mayerville, to devise some means for allaying the general feeling of disquiet and insecurity that seemed to prevail among both whites and blacks in the county. A day was fixed by these gentlemen who wrote, the 16th of December, or three or four days after the notice was sent to me.

In accordance with their request, I wrote to gentlemen in the different supervisors' districts on the river, soliciting them to be at Mayerville on that day.

They came there; about fifteen or sixteen men from the river, and some ten or twelve from the Creek assembled there that day; a meeting was held, and a sort of proclamation issued to both colored men and white men, that we proposed to protect both sides, and not to see the rights of either infringed upon to any extent by either party; and re-assuring the colored men that all the troubles upon the creek were at an end, and that nothing was intended against them or the whites, and requesting them to desist from any attempts against the lives of the

white people, and to go quietly about their business; and that, if they did so, everything would be well.

It was decided in that meeting to request Gross and Williams to resign their places as members of the board of supervisors. Col. H. B. Keap, Mr. T. M. Miller, and myself were appointed a committee to wait upon these men and request their resignations.

DID REQUEST GROSS TO RESIGN, AND WHY.

The day following, Colonel Keap and myself rode down to Gross's house to see him for the purpose of requesting his resignation. We found him absent, and left word with some one at his house to tell him to come to my office as soon as he came home; that we would like to see him. He came up that evening within a few hours after I reached home. I told him of this meeting. He said he was fully aware of it. I told him what had been done, and requested him then and there to resign his office for the reason that his course had proved very unsatisfactory to the citizens of the county in the administration of the county affairs; that his administra ion had been characterized by an unprecedented course of reckless extravagance, which we desired to check; that at that time a levy of taxes had been made which was far in excess of what the law allowed, showing their utter incapacity; and that his conduct toward gentlemen appearing before the board was of such an arrogant character that we, for these reasons, desired him to resign his office.

Q. Who were the persons who had appeared before him as supervisor, and what had his conduct been toward them?—A. I will state that I for one appeared before him myself with a petition, signed by seventy-odd citizens of the county, soliciting that a gentleman named Woolfork be allowed to put a gate across the public road at his plantation. The high water prevented his fencing his place at that time.

I went before the board and told them that I had a petition of this character, signed by this many men, and desired to read the petition.

He ordered me, in the most peremptory manner, to take my seat. I said I appeared as an attorney before that board, and that I thought I had a right, at least, to be heard, and had a right to read this petition.

He says, "No, sir; you will not be heard; and, furthermore, if you don't take your seat you will be fined for contempt of this board." He refused to even hear the petition read.

Q. Will you state the object of putting that gate across the road?—A. Simply to protect the plantation and save the man from putting some five or six miles of fence around his place, which could be done by putting a gate across the public road; and later in the season, when the water had gone down, he would be able to get his rails out of the swamp and put up his fence.

Q. Was it intended as a temporary relief to him only?—A. Temporary only, and to remain only for six months' time.

It is customary for the board of supervisors in the river counties to do things of that sort. It is done almost every day.

Another instance of his arrogant conduct as president of the board was when Mr. R. M. Smith, a very respected planter in the neighborhood, and a man of considerable wealth, appeared before the board with a petition to have a white school or school-house erected for the accommodation of the white children of the county, there being but one white school in the county, and from ten to fifteen colored schools; and yet the white people pay ninety cents on every dollar of taxes paid for that purpose. He went before the board for the purpose of getting this

school established, and was, in the most insolent manner, ordered to take his seat, and not allowed to open his mouth upon the subject. Those are the two instances that occur to me now. There were other similar instances.

Q. Was any action taken upon that petition?—A. No, sir.

Q. Was the petition refused?—A. It was refused and laid over.

I told Gross that for these reasons we desired him to resign his office, and that my sole duty was to make the request to him to resign and to report his answer to the chairman of the meeting, the meeting having adjourned subject to the call of the chairman; but whether the meeting was ever re-assembled or not I don't know. He told me in so many words that he would not resign. I told him very well, if that was his answer that would be my report.

BUT DID NOT SWEAR.

Q. Did you accompany your request with the oath mentioned and with threats?—A. I did not, and any statement of that sort is false absolutely. I used no oath and no threat of any kind. He sat silent for a while, and then, after thinking the matter over—he sat in my office for five minutes, I suppose, after that conversation, and said nothing. I had turned around and was going on with my work, paying no further attention to him. After he sat there five or ten minutes, he spoke to me again, and says, "Captain, I would like to have some time to consider this matter." I laid down my pen and asked him what time he wanted. He said, "A week or ten days." I said, "Take two weeks if you desire, and I will not make my report until you give me a final answer."

GROSS ANNOUNCED THAT HE HAD DECIDED TO RESIGN.

The next thing I heard of him as having gone to Jackson for the purpose of conferring with Governor Ames. I next saw him at my office a week or such a matter after the first conversation. He came in—I thought he was still absent as I had not heard of his return to the county—he came into my office and told me that he had decided to resign his office. I said to him that I was glad of it; that I thought the people would be better satisfied if they had some man in the office who was more competent to conduct the business of the board of supervisors than he had proved to be. That ended the matter.

WITNESS DID NOT WANT HIM TO RESIGN JUST THEN.

But I went on further then to say to him that I hoped he would not at that time resign, for the reason that the river was rising, and we desired, if possible, to get the members of the levee commissioners approved at the next meeting for the purpose of attending to levee affairs; and that I had hoped he would not at that time resign, but would wait until after the next meeting, if he decided to resign, before handing in his resignation.

At the next meeting of the board, on the first Monday in January, quite a number of gentlemen—General Wade Hampton, Colonel John C. Haskell, and Robert J. Turnbull, and Judge Thomas W. Hayes, and quite a number of the most influential men of the county and State—were there.

Q. Were they property-owners in Issaquena?—A. They were property-owners, yes, sir. Those gentlemen assembled, all feeling an interest in this matter and in the condition of the levees.

CONDITION OF THE LEVEES AND RIVER.

Q. State the condition of the levees and the condition of the river at that time.—A. The river was beginning to rise, and the reports from the

northern counties led us to apprehend unusually high water. The levees were in a precarious condition, particularly in the neighborhood of some of the Hampton property, and in the neighborhood of Judge Hayes's property below.

Q. State to the committee, if you know, the difference between the high and low stage of water in the Mississippi River.—A. That is a pretty hard question to answer. The river is frequently, down there at Mayerville, so low that a boat cannot run in the bank, which, I suppose, is from fifteen to twenty-five feet high. I cannot tell you exactly, but it is a very steep and high bank. At high tide, the river comes over that bank three or four feet, and stands that much against the levee.

GROSS AND WILLIAMS QUALIFY.

Gross had told me, when I told him that I would like for him not to resign then but to hold on until after the next meeting and then appoint the levee commissioners if they did nothing else, that he would do so. On the day of the meeting, Gross and Williams, members of the board, both came, and Gross declined to qualify unless Williams qualified also. I went with Colonel Haskell to see General Hampton and others, and I believe Mr. Turnbull saw Gross and Williams and told them that we would be glad to have them both qualify, and that we would guarantee them any protection from any personal dangers they might apprehend, about which we knew nothing; we had never heard a threat, and there had nothing been done for the purpose of interfering with the members of the board to any extent within our knowledge.

They considered the matter for some time, and Gross concluded to qualify, and decided to qualify, and Williams qualified.

TOLD GROSS HE WOULD BE GLAD TO RECOMMEND CANDIDATES.

I told Gross before he went in to qualify that I would be glad to recommend to him the names of some gentlemen that we would like to have appointed as members of the levee board. He told me he would be glad to have us name them, and I sent and called together these gentlemen, the principal planters in the county, in my office, and asked them to make a selection of such names as they would like to recommend to the board. They recommended Judge Thomas W. Hayes and Col. W. D. Brown, one from Deer Creek and the other from the river. I went with Mr. Turnbull and, I believe, Colonel Haskell before the board and told them of the action taken in my office, and that the taxpayers would like to have these men sent on as commissioners to the levee board.

THE RECOMMENDED CANDIDATES WERE ELECTED.

The board took the matter under consideration and discussed it among themselves. I went out into the court-room, which was adjoining. After a few minutes I returned into the room, and when I came in they were taking a vote upon these nominations, and sustained them both by unanimous vote.

Q. Were the nominations being put to a vote?—A. Yes, sir; the nominations were put to a vote by the members.

Q. Was it a vote "aye" and "no," or did they vote by ballot?—A. Yes, sir; these nominations were made; one member of the board of supervisors made a motion that the names of these two gentlemen, Judge Thomas W. Hayes and Col. W. D. Brown, be sent on as levee commissioners from Issaquena County. The motion was seconded by another member, put to vote, and unanimously voted upon.

Q. Who was in the room when the voting took place?—A. The four supervisors, Colonel Haskell, Robert J. Turnbull, and myself; I think

Sheriff Scott and the clerk, or deputy clerk—either Mr. C. F. Jeffords, the clerk, or Marshall Smith, his deputy—and quite a number of others.

Q. Were any remarks made in regard to the transaction of that business by any others than the board of supervisors themselves?—A. None, except my remarks in presenting the names of those we desired to have upon the levee board.

NO ARMED MEN NOR ARMED WORDS.

Q. Were any armed men present that day in town?—A. No, sir; not one that I saw; and I think I saw every man in town.

Q. Was there anything, either by the exhibition of arms, or by language, or in any other way, of an intimidating character at that time practiced by any one toward this board of supervisors?—A. To my certain knowledge, there was not.

Q. Would not you necessarily have known it if such had been the case?—A. I would have known it.

Q. And you are positive that nothing of the kind occurred?—A. Yes, sir.

TWO ESTIMABLE TAX-PAYERS ELECTED.

Q. What was the character of the two nominees presented by the tax-payers of the county?—A. Two of the most estimable men in the county, both of them land-owners. Judge Thomas W. Hayes was an old probate judge before the war, and I believe he stood higher than any other man in the county. Col. W. D. Brown is a most excellent citizen, who owns a plantation on Deer Creek, and at one time he was a minister; a man of most exemplary habits and unquestioned honesty.

Q. Was anything said by Gross to you in regard to his having himself fixed upon one of these as a proper person for levee commissioner before you presented the names to the board?—A. Yes, sir; I mentioned to Gross at first, that we had thought of Judge Hayes; he told me that he was the man of all others that he would like to send on. I told him that there were some gentlemen there from the creek that desired a man sent from there, that the interests of Deer Creek in reference to the levees might be fairly represented, their interests being different from ours on the river front; that being protected by the levees in front of us, we did not care anything about the levees behind us, as in case of a break in the levees behind us Deer Creek would carry off the water; and that it had been customary in the county to send one from each section.

Q. Had you presented the names of these gentlemen to Gross prior to the time of the qualification of the board of supervisors?—A. I had not.

Q. Had any intimation been made by you to him of the persons desired as levee commissioners until you presented them to him at the meeting of the board?—A. No, sir; no presentation had been made. I merely told him that the name of Judge Hayes had been suggested to us as a suitable man.

VITAL IMPORTANCE OF GOOD LEVEE COMMISSIONERS TO PROPERTY-HOLDERS.

Q. Was or not the appointment of the levee commissioners of vital importance to the property-owners of that county?—A. There is no appointment in the county of the same interest, or anything like the same interest, that the appointment of levee commissioners is; they are the men to look after and protect us from the overflow.

Q. Your county is a river county?—A. Yes, sir; right on the banks of the river.

Q. And the very existence of the plantations there depend upon

the levee being kept up?—A. Yes, sir; a break of the levee in front of a plantation not only destroys the crop of that year, but washes up the plantation so that it is of no value afterward.

THERE HAD BEEN BAD MANAGEMENT OF THE LEVEES.

Q. What had the property-owners of that county suffered on account of a want of skill or want of ability on the part of the persons appointed levee commissioners by this board of supervisors?—A. A large part of the county, especially the lower part of it, has suffered to such an extent that the legislature a few years ago relieved them from the payment of a considerable portion of the State tax.

Q. For what reason was that?—A. For the reason that they had not kept the levees in proper repair in the counties above us as well as in our own, and to enable the people in these counties to repair these levees.

POLITICS NOTHING ON EARTH TO DO WITH LEVEE BOARD.

Q. Has a commissioner of the levee board any political influence in the county; I mean, is it a political office, or one entirely connected with the assessment of a tax and the payment of money for the keeping up of these levees?—A. Politics has nothing on earth to do with it, sir. It is one in which he has no power in the levying of a tax, except in the levying of a construction-tax—a tax for the construction of levees. The other taxes are fixed by an act of the legislature at so much per acre on the land and so much per pound on cotton.

EXTRAVAGANCE OF PRIOR BOARDS.

Q. State the action of the board of supervisors prior to that time in your county as to extravagance or economy.—A. I will state that the board elected in 1875 and the board prior to that time were utterly incompetent to discharge the duties of their office, and that the extravagance of these two boards was unprecendented by anything that ever occurred before in the administration of the office by former boards.

WHY BELIEVED TO BE CORRUPT ALSO.

Q. Was it believed to be corrupt, as well as extravagant and incompetent?—A. It was, sir; it was believed to be corrupt not only in levying the taxes, but in letting out the contracts. I will state an instance: A contract for building the court-house and jail, and the clerk's and sheriff's offices for the county, was for the sum of $19,955. It was let to David Mayer. The court-house, jail, and clerk's and sheriff's offices have been added on to, one little thing after another, at most extravagant rates, until the people of the county have paid over $35,000 for them. That was one cause of the dissatisfaction of the people at the administration of the board.

Q. Was Mayer a member of the board?—A. No, sir; he was the county treasurer.

For erecting the pigeon-holes in the clerk's and sheriff's offices—rooms a very little if any larger than this—erecting the shelving on one side of the sheriff's office, in fact on one side of both offices only, and putting two standing desks in these offices, he received from the board of supervisors the sum of $3,500, when $500 would have been a big outlay for it. It was extravagance of that character that led the people to ask for their resignation.

Q. Mayer was county treasurer?—A. He was county treasurer.

Q. Was it lawful for the county officers to make contracts with each other in that way?—A. There is nothing to prevent it; they are authorized to let the contracts to the lowest bidder, after so many days' advertisement.

Q. Then, being let out at the lowest bid, how could it be increased in the way you have stated?—A. Just in the manner I have stated—by adding on for one little service and another at these extravagant rates. That shelving I cited as an instance of that.

Q. Do you consider that the sum named in the original contract for this jail should have completed it?—A. I think, sir, $10,000 would have been a good sum for the public buildings that were erected there.

Q. Instead of which they have paid——?—A. Instead of which they have paid over $35,000.

Q. Did this system extend to other contracts?—A. Yes, sir; to the letting out of bridge contracts.

Q. Is that under the control of the board of supervisors?—A. That is under the control of the board of supervisors.

Q. In regard to the construction and repair of the levees, is that expensive?—A. Very, sir; we depend entirely upon the levee commissioners.

LEVEE REPAIRS NEED SKILL AND KNOWLEDGE.

Q. Is it not essential that not only the expenditure should be large to maintain the levees, but that it should be applied with skill and a knowledge of the work in hand?—A. It is necessary that a most competent engineer should be selected, and the one that was chosen by the old board of levee commissioners gave universal dissatisfaction.

DISSATISFACTION WITH THE OLD BOARD.

Q. Dissatisfaction to whom?—A. The people of the levee districts. For instance, one cause I will state of dissatisfaction with this man who was appointed chief engineer by the old board of levee commissioners, was the building of what is known as Utopia Levee, above Greenville. This levee was built under this engineer, and accepted by him, I think, in December of year before last. This last year or at the present year, in January, I think it was, the water rose on that levee so that it had to be elevated by sand-bags and dirt on the top, in order to prevent the water from running over it; and it was found by another engineer, who was sent over to examine it, that it was built in many places from eighteen inches to two feet below the last high-water level. He had reported it as being up to high-water level, his estimates being for that amount, and the contractors had been paid for that; showing his entire incompetency for his position. Such action as that upon the part of the levee board made the people desirous of a change.

Q. Was Mr. Brown, the levee commissioner from the Deer Creek side of the county, well known in the county?—A. Very well known.

Q. Was he known to this man Gross?—A. He was certainly known to him. He has been a practicing attorney at the Issaquena bar for the last three years; he has been attending regularly at the courts, and Mr. Gross, as a member of the board of supervisors, has been under the law compelled to be there to receive the instructions of the grand jury at every term of the court; and has remained there in the court-room during the entire term, and heard Colonel Brown argue cases, and has met him frequently outside. He has met him in my office.

BOARD OF SUPERVISORS INDICTED FOR ILLEGAL ACTION.

Q. State whether you have any knowledge whether any indictment had been found against this board of supervisors for illegal action.—A. Yes, sir; the board of supervisors was indicted and tried at the last term of the circuit court of that county for levying a tax in excess of the amount allowed by law. They put their plea of defense upon the ground that they were unable to calculate the amount and to appropri-

ate the different amounts so as to come within the limit fixed by the law. The court, on motion of the district attorney, let the case go off at their costs, without fining them, being satisfied, as Judge Shackleford remarked, that they did not intend any fraud; but from where he got his information as to their not intending any fraud I don't know.

PROPORTION OF TAXES TO VALUES.

Q. What is the proportion of tax to the value of property; the tax assessed in 1874–'75?—A. That is a very difficult question for me to answer. I have not been engaged in the payment of taxes at all.

EXCESSIVE TAXES.

Q. Are the taxes excessive in their amounts?—A. They are excessive, amounting almost to confiscation of property. I think, to the best of my recollection, that Judge Jeffords, who is engaged in the tax-paying business, told me that year before last the taxes of Issaquena County amounted to about $187 on the thousand. Mr. T. M. Miller is here, however, as a witness; he has been engaged in the tax-paying business, and can tell you much more particularly relative to these matters.

Q. Have the county taxes been greatly increased?—A. They have been, sir; they have been increased steadily, yearly, with us.

Q. Has the board of supervisors provided for filling vacancies in the board by election?—A. The present vacancies you speak of?

Q. Yes, sir.—A. They have ordered that the registrars hold an election to fill the vacancies, but they fixed no time for the election.

Q. Please go on and state what further occurred in regard to Gross and Williams's resignation.—A. I think I did state that he came to me after his return from seeing Governor Ames.

WILLIAMS RESIGNED BUT GROSS HAS NOT.

Q. Has he ever resigned?—A. Gross has never resigned. We stated that we did not wish his resignation; that all we wanted of him was to behave himself in his office. He has never resigned.

Williams voluntarily resigned at the conclusion of the meeting of the board. He came to me the day after, in my office, and asked me to write his resignation out, and I wrote it out in my own handwriting, and he sent it in to the board after having signed it.

Q. Gross is in office to-day?—A. Yes, sir, and president of the board of supervisors at this time.

Q. Did you make any request upon Williams for his resignation?—A. I never did; I was not one of the committee appointed to see Williams, and I did not ask him.

ABOUT GROSS AND HIS REAL OR FICTITIOUS ESTATE.

Q. Do you know whether Gross is a property-owner in the county—a real-estate owner?—A. He is not, sir.

Q. Upon whose land does he reside?—A. He resides upon the Holly Ridge plantation, belonging to Mr. Sam. Davis.

Q. He stated here that he was joint owner of a tract of 500 acres of land; that he and his brother-in-law owned it together, and that upon that he lived, and upon that he worked and carried on planting. Is that the case?—A. No, sir, it is not. I have daily access to the records, and I have seen in the course of my investigations almost every deed of land made out in Issaquena County in the last four or five years. At the time he first came there, Gross was working in a squad, as it is called, under another negro, who had command of a squad of hands. He is now, I believe, renting land, and managing a squad himself; but I have never seen a deed from any person to him, and I don't believe that he is the owner of a square inch of land in Issaquena County.

DERRY BROWN IS A VERY DANGEROUS NEGRO.

Q. Do you know a man named Derry Brown?—A. No, sir; I only know him, from what I have heard of him, as a very dangerous negro and very hostile to the whites.

Q. He has been here and stated that he has been compelled to go away from that part of the country, abandoning property—cotton and other property of considerable value. Do you know whether he has realized anything from his property there; and, if so, through whom?—A. I don't know, sir; Mr. Miller can tell you about that.

ABOUT BOWIE FOREMAN.

Q. Did you ever hear of a black man named Bowie Foreman?—A. Yes, sir.

Q. What is his reputation and character?—A. His reputation is second only to that of Derry Brown as a hostile and bitter negro toward the whites; one that would do anything on earth to injure a white man, whether he had anything against him or not.

Q. Have you any information in regard to Bowie Foreman being discharged from the grand jury, upon the application of his associates on the grand jury, by Judge Shackleford?—A. I have.

Q. When was that?—A. That occurred at the term before last of the circuit court.

Q. In Issaquena County?—A. Yes, sir.

Q. What was the reason for their desiring him to be discharged from the grand jury?—A. They asked that he be relieved for drunkenness and improper conduct on the grand jury toward witnesses, owing, probably, to the drink he had been taking.

Q. What is his character for turbulence?—A. He is considered the most turbulent negro in the county.

Q. Does Mr. Miller have knowledge of the property that I spoke of belonging to him?—A. Yes, sir; I think Mr. Miller sold, at his request, some property that belonged to him, and sent him the money.

A RIOT OR SOMETHING WORSE UPON ROLLING FORK.

Q. Several of these men, Derry Brown, Bowie Foreman, and I think others, have spoken of a riot, or something worse, upon Rolling Fork, which occurred some time after the election of last fall, in December, I think: will you state to this committee what was the general character of the affair; its cause, and its general character?—A. Yes, sir; I can state what I have been informed by credible persons as to what took place there immediately after, and in fact while some of the events were transpiring. I was not present on the scene of action myself.

Some time after the election, I think about the 10th, as near as I can recollect, of December, there was a white man and a negro got into a difficulty at Rolling Fork, and in the struggle the white man stabbed the negro or cut him with a knife. He was immediately arrested by the white men and confined in McQuillan's store, at Rolling Fork, until the next day, when it was intended that he should be put through a preliminary examination before a magistrate, and, if held, sent to Mayerville to our county jail.

That night some twenty-five or thirty negroes made an attack upon the store, broke in, and beat this man most fearfully, and shot him through the thigh.

The next morning the white citizens turned out and arrested several of these negroes—eight or ten—and went in search of the others. These that they had arrested they put in a store-house there beside McQuillan's store, to keep them over night, intending to bring them before a magistrate the next morning for a preliminary examination.

During that night these negroes attempted to make their escape. A guard had been put over them. The store was only a frame building, from which they could easily escape. In their attempt to escape several shots were fired; who by, nobody can say. Two of the negroes were wounded, and one of the guards killed and one wounded.

ALLEGED NEGRO THREATS.

The negroes, hearing of this, began to assemble in bands, with threats that they would kill every white man, woman, and child on the creek from the cradle to the grave.

SIX OR SEVEN NEGROES KILLED IN AN ENCOUNTER.

Immediately the white men began to organize, called out their companies—or their men, and organized into companies, and went down to meet these organized bands of negroes; and I have learned that in the encounter between them there were some six or seven negroes killed.

Q. Did the negroes congregate on their part with arms?—A. Yes, sir.

THE REV. MR. BALL RATHER AN ELOQUENT DIVINE.

Q. Do you know a Rev. Mr. Ball?—A. Yes, sir.

Q. Who is he?—A. I only know him as a Methodist minister, who has been in the habit of visiting Issaquena County and preaching there at various times; I don't know where he lives.

Q. What is his character?—A. I don't know further than his character as a minister. He is regarded as rather an eloquent divine.

Q. Is he a man capable of lawless violence toward any one?—A. I should not think so; I never considered him as such a man.

Q. Do you know his full name?—A. I don't.

AND A VERY PIOUS MAN.

Q. Do you know his general reputation in the community as a man of piety and worth?—A. I do, sir; he is regarded there as a very pious man, and as one that was doing more toward the cause of the church than any other minister that came there.

Q. It was alleged by some of these parties who have testified here—I think by Bowie Foreman and Derry Brown—that Ball was the commander of this armed body of white men, who shot in cold blood six or seven colored men.—A. I can simply say in answer to that that I don't believe it; I don't know.

Q. Do you know whether Ball was commander of this body of armed white men?—A. I don't think he was, sir. There were two organizations of men. A man named Bob Simms, of Washington County, and J. H. Robinson, of Rolling Fork, commanded them.

NUMBER OF ARMED WHITES.

Q. What number of white men were armed on this occasion?—A. From the best information I could get, there were probably from 150 to 175.

Q. In both companies?—A. In both companies.

Q. What was the name of the owner of the store in which these negroes were confined?—A. I forget; there were two or three stores right together, opposite each other.

Q. Do you know a man named Elgin?—A. Yes, sir; pretty well.

Q. His name was mentioned by them, and his store was mentioned by Foreman as being the point near where this affray took place?—A. It is possible that it was in Elgin's store; I am not certain.

ARMED BLACKS ASSEMBLED.

Q. Which gathered first, the bodies of blacks, or the whites?—A. The bodies of blacks.

Q. To what number did they gather there?—A. They were gathered in various bands from 100 upward, and it was impossible to tell what their number was.

Q. What is the proportion of negroes and white people in that county?—A. Do you mean of men fit for service, or the whole population?

TEN BLACKS TO ONE WHITE IN ISSAQUENA.

Q. I am speaking more of the men?—A. I suppose it was about one to ten.

Q. One white man to ten negroes?—A. Yes, sir.

Q. Were the negroes generally armed through the county?—A. Yes, sir; almost every negro had his shot-gun; and invariably they carried their pistols and razors and other weapons on all occasions.

Q. What is John Elgin's condition in life?—A. John Elgin is a merchant there; a man of very respectable standing, and very much of a gentleman.

MR. ELGIN DID NOT ALLOW A NEGRO TO CALL HIM JOHN.

Q. Bowie Foreman in his testimony spoke of going to Mr. Elgin's store on Sunday morning for a drink, and spoke of addressing him by the name of "John?"—A. Bowie Foreman never did any such thing; Mr. Elgin is not a man that would permit any such familiarity on the part of a negro.

Q. Is he a man to be on these terms of familiarity with such a man as Foreman at all?—A. No, sir.

WITNESS MADE AN ARMED ORGANIZATION.

Q. What armed organization, to your knowledge, was made in your part of the county by yourself or others?—A. I made an armed organization in my county; the only one that was made on the river from one end of the county to the other. I made it pending the troubles on Deer Creek, when it was reported to me by Sheriff Scott through his deputy. The sheriff told W. E. Collins, his deputy, that there were various armed negro organizations; that they were well organized for that purpose, and that he was afraid that they were going to make an attack upon the white people, and told him to privily advise the members of the County Grange of this state of affairs.

Q. What do you call the County Grange?—A. We have a grange; it is one of the branches of the grange in that place. When Collins came home with this information after the adjournment of the grange, which met the next day, I stopped the members and told them what I had learned. I found that many of them knew of the meetings of the negroes. I stated the facts that I had learned, and we deemed it necessary to at once organize and prepare for defense in case of an attack.

I asked them to come immediately from the grange to my office, which many of them did, and I sat down and drew up a resolution, or preamble, reciting the object of our organization, which was for the purpose of protecting our lives, firesides, and property in case an attack was made. Each one pledged himself to arm and equip himself with a horse and some fire-arms as soon as possible.

That was done, and we had an organization, I suppose, of twenty-five or thirty men. Among them were Judge E. Jeffords, and several other republicans of the county, who joined us under the belief that we were to be attacked by the negroes.

The organization was for the sole purpose of self-protection. The company was never called out and no patrols were ever thrown out by me or any one under my command. We never had occasion for it and it was never used.

NO DOMICILIARY VISITS.

Q. Have you any knowledge of domiciliary visits to colored people by armed men in your county for the purpose of intimidation, either by night or by day?—A. I have not, sir; and I don't believe any such were ever made.

ARMS FOR THE NEGROES.

Q. Have you any knowledge of arms being brought into the county for the negro population?—A. I was told by Henry Wiseinger, who stands well with his party, the republican party, and is generally informed of what is going on, but is also a friend of the white people, that some arms had been landed by the steamer Julia on one of the islands opposite Issaquena County, in the river, and that they had been sent from the arsenal here at Jackson, and were distributed among the negroes down there; that is, they were at their headquarters, and each negro had been notified where to come to get the arms.

Q. When was the date of that?—A. About two weeks before the election.

Q. During the canvass?—A. Yes, sir; and on the day of the election I saw a wagon in the town of Mayerville escorted by about a dozen men riding all around it—an ordinary wagon—and it had some blankets thrown into it, and some bushes on top of the blankets.

Q. Were they white or black men around it escorting it?—A. Black men exclusively. I was told by a negro there—he didn't give me his name, but he said that he had been sent to tell me, by Wiseinger—that there were those arms. That wagon stood in the public square during the day; but everything went off quietly, and the wagon was driven off that night.

APPREHENSIONS OF THE WHITE PEOPLE.

Q. Had there been, at any time during the canvass, apprehensions upon the part of the white people of that county of the arming of the negro militia by Governor Ames?—A. Yes, sir; there were very grave apprehensions of it; none of us felt secure at all during the time of the troubles at Clinton and elsewhere, for fear that the colored militia in the county would be organized. It was officered exclusively by negroes. Sheriff Scott being the colonel, and a man named Hueston lieutenant-colonel, and so on; and I know that none of the white men in the county were included in it.

GRAY, A BLACK.

Q. Do you know of a man in the adjoining county of Washington of the name of Gray, a black man?—A. Yes, sir, I do; I know of him by reputation.

Q. What is his character?—A. It was as bad as it was possible for any man's character to be. He was regarded as an incendiary; as a man that was given to stirring up strife, and would do anything on earth, in fact, to put one race against another; and he was in favor of overcoming the white people by force of numbers, and of taking possession of the county.

Q. Do you know whether he was indicted for arson in that county?—A. I am credibly informed that he was indicted by the last grand jury.

Q. Is that indictment now hanging over him?—A. Yes, sir; he is not to be found in the State.

Q. Do you know whether he held a commission as an officer of the militia from Governor Ames?—A. He did.

Q. Have you knowledge of public speeches made by him at the time

he was seeking a nomination for sheriff of his county?—A. No, sir, I have not; that was not in my county.

Q. I know that; but I wanted to know whether the character of those speeches was known to you, and generally known in your county.—A. I cannot say that they were; I did not know of them.

ABOUT THE GENTLEMEN WHO SUGGESTED NOMINATIONS.

By the CHAIRMAN:

Q. Who were the gentlemen that went before the board of supervisors besides yourself?—A. General Wade Hampton, Colonel Haskell, Robert J. Turnbull, and perhaps some others.

Q. How many persons were present and consulted with you in regard to the names of the levee commissioners that you proposed?—A. I suppose some twelve or thirteen were in my office at the time; the principal planters of the county.

Q. You say that they were not armed persons?—A. Unarmed. I did not see any armed men in the town that day, or even a side-arm of any description.

THEIR ACTION ABOUT TWO WEEKS AFTER ROLLING FORK.

Q. How long after the affair at Rolling Fork was that?—A. This occurred on the 15th of December. I think it was from ten days to two weeks after what had taken place at Rolling Fork. Probably not quite so long; it may be a week.

ORDERED TO "GIT DOWN" PRIOR TO THE ELECTION.

Q. When did you go before the board of supervisors in regard to the matter that you spoke of when you was ordered to sit down?—A. I think it was prior to the last election. I am not certain. I am satisfied it was prior to it; some little time prior to it.

Q. And when was the application made for a gate or bars across the road?—A. That was the time; that was my petition. The other was Mr. Smith's, relative to a school-house.

Q. When was that?—A. That, I think, was after the election, but before the new board qualified; some little time before it.

Q. What representation did you make to Mr. Gross in regard to his resignation? What did you say to him would happen in case he did not resign?—A. I did not tell him anything would happen.

NO INDUCEMENT OFFERED GROSS TO RESIGN.

Q. What inducement did you hold out to him to resign?—A. I simply told him that I had been appointed one of a committee by this meeting to wait upon him and request his resignation of that office, for the reasons I have given in my direct examination; that the people of the county were not satisfied with his administration of the office.

WHITES AND BLACKS IN ISSAQUENA.

Q. How many white people are there in the county of Issaquena?—A. There are very few. The old county has been divided into two counties; the county of Sharkey comprising the creek portion of it. I think that in Issaquena, as it stood before, there were about three hundred whites.

Q. And how many blacks?—A. There were from two thousand to twenty-one hundred.

CONSIDERS IT RIGHT TO DEMAND RESIGNATION OF SUPERVISORS ALTHOUGH THEY WERE DULY ELECTED.

Q. You considered it the right of the persons who represented the white people of the county to demand of Mr. Gross and Mr. Williams

that they should resign?—A. I did, sir; for the reason that the persons that we represented were the tax-payers and land-holders of the county, who were interested in the levying of taxes; and these others were non-tax payers, and there was not such a representation of the tax-payers on the board as there ought in justice to have been.

Q. That is, you considered that you were authorized, being about one in seven of the voting population, having been defeated at the polls, to decide that these men should leave?—A. No, sir; not to decide that they should leave, but to request their resignation of the office.

ARMED MEN ORGANIZED, AND WHY.

Q. You had behind you a band of armed men organized?—A. But not for that purpose.

Q. But they were organized for any purpose that you might desire, were they not?—A. Simply for our protection in the event of an attack upon the white men.

DON'T KNOW WHAT WOULD HAVE BEEN DONE IF THERE HAD BEEN NO RESIGNATION.

Q. What did you propose to do if they did not resign?—A. I did not propose to do anything.

Q. Those whom you represented, what did they propose to do?—A. I am not advised as to what they proposed to do, but I never heard any threats made by them.

NOT AT ROLLING FORK.

Q. Did you take any part in the killing at Rolling Fork?—A. I did not.

Q. Did any of the men under your command take part in that transaction?—A. Not to my knowledge; I think I can safely state that no one of them did.

NEVER KNEW PERSONALLY OF INTENDED ATTACK ON WHITES.

Q. Had you ever known of any movement in Issaquena County by the negroes for an attack upon the white population?—A. Only as I was advised.

Q. By whom were you advised of such design?—A. By Mr. Collins, he having obtained the information from Sheriff Scott, and by white citizens around the county, that these meetings were being held at midnight. I could not see why they should not meet in broad daylight, when honest men could meet and transact business and this led me to believe that there was something wrong going on.

NEVER ANY SUCH ATTACK MADE.

Q. But there was never any such movement on Mayerville, or any place in the county?—A. There never was any attack made, and no defense ever made by the armed organization of white people for that reason.

WHITES KILLED AT ROLLING FORK.

Q. Were there any white people killed in this affair at Rolling Fork?—A. I have been informed that one was killed and one wounded.

Q. Where were those negroes that were killed that night found?—A. Do you mean on the Creek?

Q. Yes, sir.—A. They were found, as I have been informed, in the lower part of the county in an organized band. On what plantation I am unable to state.

Q. You had some purpose, had you not, in case these men did not resign?—A. I had not, sir; I had not determined upon any course.

Q. Did you not give them to understand that you had determined upon some course?—A. No, sir, I never did.

Q. Have you stated to this committee all the conversation that took place on your part on that occasion?—A. I have, sir, to the best of my recollection.

WAS CAPTAIN ON GENERAL LEE'S STAFF.

Q. How did you acquire the title of captain?—A. In serving on the staff of General Stephen D. Lee in the confederate army.

Q. Has there not been, to your knowledge, in Issaquena County a band of armed men with which you have been connected?—A. There had not been any until the time I have spoken of, pending the troubles at Rolling Fork in December.

ARMED WHITE ORGANIZATIONS.

Q. That still continues as an organization?—A. No, sir, it does not. It has never been called together. There has never been a meeting of the company. They came to my office, one at a time, and signed the roll, and held themselves in readiness to assemble in case they were called for that purpose.

Q. That organization of which you are commander-in-chief was generally understood to exist?—A. It is not now, sir.

Q. It was so understood last December and January?—A. It was known at the time.

GOOD CROP LAST YEAR.

Q. What was the crop of cotton in Issaquena County last year?—A. Unusually good.

WHO THE LEVEE COMMISSIONERS WERE.

Q. Who were the levee commissioners last year?—A. Prior to the election, J. G. Jeffords, a man from Keokuk, Iowa, and a negro by the name of Brooks, from the Creek.

ABOUT JEFFORDS.

Q. Do you know Mr. Jeffords?—A. I do, sir.

Q. What do you know of him?—A. I simply know him as practicing lawyer.

Q. What is his reputation in the county as a lawyer?—A. His reputation is very hard to state; he has never defined his position politically, or otherwise, that I know of, further than that he has always stated, as he stated when he signed that company roll, that in an issue between whites and blacks he was a white man.

Q. Was there any ground for complaint against the levee commissioners last year?—A. There was that ground that I have stated; that they appointed an incompetent engineer, and that Issaquena had paid her taxes for the previous year, and that her levees were left down, in a very precarious condition, no work being performed upon them.

Q. Have you not stated to the committee that the value and productiveness of the land in Issaquena County depended upon the condition of the levees?—A. Yes, sir, to a very great extent.

Q. And you have stated that the crop of cotton was very good last year?—A. Yes, sir.

CONDITION OF LEVEES.

Q. How does it happen that there was any fault on the part of the levee commissioners, then?—A. I have not stated that there was any fault. The levees were very badly washed upon the river-side in many places, presenting a bluff bank, whereas on that side it should present a very sloping bank.

Q. Did you visit the levees yourself?—A. I was on them frequently.

Q. What called you upon the levees?—A. Riding up and down them to different points along the river.

Q. Don't you know that the levees last year were in good condition, and the land properly protected?—A. I know in one part of last year they were in good condition, but at the close of it they were in wretched condition.

Q. Is it not always true that toward the last of the season they are left, there being no expectation of high water?—A. It is true, as a general thing, that immediately after the high water engineers set to work to repair them for the next high water, and it was not done last year.

NO DECISION, ONLY EXPRESSION OF PREFERENCE.

Q. Was not your object, in dictating to the supervisors who the levee commissioners should be for 1876, to get control of the commissioners?—A. We did not dictate to the board of supervisors who the commissioners should be.

Q. You undertook to decide who should be levee commissioners for the year 1876?—A. No, sir; we undertook to express our preference.

Q. What was your object in that?—A. Our object was that the taxpayers of Issaquena County, the men owning the land, whose interests were at stake, might have a representation upon that board.

NO LAW PROHIBITING DEMAND FOR RESIGNATION OF OFFICE.

Q. And you proposed to do it in a manner not authorized by the laws of the State?—A. I know of no law prohibiting that manner.

THE ROLLING FORK MASSACRE.

Q. Did you not, in the first place, call upon the men who had been duly elected by the people to resign their offices, it being known that at Rolling Fork there had been a massacre of men in the night-time; it being known also that there was a body of armed white men organized, whom you and your associates represented, when you made this demand upon Mr. Gross and Mr. Williams?—A. I am not aware that the people of the county knew, at the time of this request of the members of that board to resign, that there had been any massacre at Rolling Fork.

Q. There had been a killing at Rolling Fork?—A. I am not aware that they were then aware of that as a general thing; I had heard of it myself.

Q. Had not you spoken of it to other people?—A. I don't think I had; if I had, it was probably to my brother-in-law, another attorney in my office.

Q. Was it not a subject of conversation between you and Mr. Gross, when he called upon you at your office in response to the invitation which you had left at his house?—A. I don't recollect that it was.

Q. You knew it perfectly well yourself?—A. I had been informed that such was a fact.

Q. Did not you understand that Gross knew it also?—A. I cannot say that I did.

Q. Had not you at that time organized your force of white men?—A. I had commenced to organize it. I think there were about ten names on the roll at that time.

Q. You were then organizing that force?—A. Yes, sir.

Q. Under the circumstances you went to Mr. Gross's house, and left word with his family for him to come up to your place, and when he did so, then you requested him to resign his place as supervisor?—A. I did, sir.

Q. Now, then, you made the same request, or another committee

made the same request, of Mr. Williams, as I understand?—A. As I have been informed.

Q. There was another committee organized to make the same request of Mr. Williams?—A. Yes, sir.

Q. Now, then, these supervisors assembled on the first Monday in January, and you requested of them the appointment of two levee commissioners, and you say that during the year 1875 the lands had been protected and the crops had been good?—A. I said that as a general thing they had been, sir.

GROSS'S RESIGNATION.

By Mr. McDONALD:

Q. Had your military organization anything to do with the meeting of the citizens by whom you were appointed, in conjunction with other parties, to request the resignation of Gross?—A. No more so than my now being before this committee had to do with it, not a particle.

ABOUT GROSS AGAIN.

By Mr. CAMERON:

Q. When was Gross first elected supervisor in that county?—A. To the best of my recollection, Gross is now serving his second term. He was elected two years ago the first of November last.

Q. When was Williams first elected?—A. Williams was on the board before Gross; he was on the other board. I don't remember whether he was elected at the special election or at the general election before that time.

Q. Then at the time that you, as a representative of the citizens, requested their resignation, Gross had served two years and Williams more than two years?—A. Yes, sir.

Q. You say that the objections to Gross were that he had been insolent—to use your own term—on two occasions; and that the board had been extravagant in their expenditures. Were those the reasons?—A. Those were the reasons, sir.

Q. This highway which you desired to have obstructed by a gate, was it a public highway or not?—A. It was, sir; otherwise the gentleman would have had a right to have put his gate there without asking permission of the board.

ABOUT OBSTRUCTION OF THE HIGHWAYS.

Q. By the laws of Mississippi, are the board of supervisors authorized to obstruct public highways by authorizing the building of gates across them?—A. Yes, sir; they have entire jurisdiction over the roads and fences and matters of that sort.

Q. Does that law authorize the obstruction of them?—A. I suppose it does, sir, as it is very generally practiced.

Q. You, as a lawyer, then say that they have a right to order the obstruction of public highways in the manner indicated?—A. I think that they have the right.

Q. When the statute gives them general control over the highways, that authorizes them to obstruct the highways, as you have stated?—A. Yes, sir, in that way—by the erection of gates.

Q. Are they limited as to the number of gates they may be authorized to erect across the highways?—A. I think not, sir; it is a matter left to their discretion.

Q. Is it a matter left to their discretion, whether they will authorize gates to be built over the highways or not?—A. I think it is.

Q. Were you entirely respectful in your manner yourself when you

went to the board with this petition?—A. I never was more respectful in my life in the presence of the circuit judge or the supreme judges here than I was to that board.

WITNESS SOMETIMES GETS EXCITED IN HIS FEELINGS.

Q. You say that you used no profane language when you had this conversation with Gross: I will ask you, Captain, whether or not you are accustomed, when you are excited in your feelings, to use profane language?—A. I do sometimes, sir; but I am satisfied that on that occasion I was not the least excited; I was as cool as I ever was in my life, and had no cause for excitement.

THIRTY OR FORTY MEN WAITED ON GROSS.

Q. You said that there was a meeting of the citizens, and that at that meeting you were appointed one of a committee to call upon Gross and request his resignation?—A. Yes, sir.

Q. How many citizens assembled for that purpose?—A. I think there were between thirty and forty.

Q. And they assumed to represent the entire citizens of the county?—A. They did; they were from each supervisor's district in the county.

NO COLORED MEN AMONG THEM.

Q. Were there, or were there not, any colored men in that meeting?—A. No, sir.

Q. Were the colored men requested to assemble at that time?—A. They were not; this was a meeting called by the tax-payers and land-holders of the county.

Q. You say that the canvass prior to the last election was peaceable and orderly?—A. It was, sir.

QUIET ELECTION.

Q. And the election was peaceable and orderly?—A. Yes, sir; I never saw a more peaceable election in my life.

Q. And your party cast about their usual vote?—A. As near as I know, sir. I stood at my poll; I cannot state positively, but I think the vote of the county was short in proportion to the number of votes; I don't think the whole strength of the county was polled.

THE REPUBLICAN MAJORITY.

Q. The republican majority was quite large?—A. The republican majority was just about as large as it usually was; I think from 1,400 to 1,600, possibly more; it was a very large majority.

Q. Were Gross and Williams each elected supervisors at that election?—A. Yes, sir; each for their respective districts.

Q. Was it claimed, to your knowledge, that they were elected by fraud or force?—A. I don't remember having ever heard the assertion, and I don't think they were so elected.

Q. Well, so far as you know, they were legally elected?—A. I think they were, sir.

THE WHOLE COMMITTEE OF FORTY.

Q. Why did this meeting of thirty-five or forty of the white citizens of the county select Gross and Williams as the two men who should be requested to resign?—A. For the reasons I have given: that Gross was the president, and it was under his administration that the extravagance had been carried on; and because of his demeanor, his tyrannical behavior toward people coming before the board; that he was insolent; and for these reasons he was requested to resign.

What the motives were that actuated them to invite Williams to resign

also I don't know, unless it was for the same reason, or similar action of his, among his own citizens on Deer Creek. He lives in one part of the county and I in another, and I know little or nothing about the man, except I would see him at the court-house. I don't know anything about his conduct at home.

Q. Is not Gross a man of more than usual intelligence for his class?—A. I have never discovered it, if he has it.

WHY PROTECTION WAS GUARANTEED TO WILLIAMS.

Q. You stated that at the meeting of the board of supervisors on the first Monday in January, you and a certain number of persons, whom you have named, guaranteed to Gross and Williams protecton. What necessity was there for guaranteeing that protection?—A. The assertion of Williams that he had heard that he would not probably be safe if he went on that board. I asked him particularly as to where he had heard it, and he either would not or could not tell, for he did not tell how or when he had heard the report. It was that assertion of his that caused me and General Hampton to state to him that we would guarantee him protection against any and all assaults from whomsoever or wheresoever they might come; that we would guarantee him protection, not only as a citizen, but also as an officer of that board, and also protection to his property. We did that to assure the man that there was nothing in it; that if he had heard threats of this sort they had come from some idle person that had no business to make them, and no power to enforce them. It was against the wishes or the will of the people of the county that any threats of intimidation should be used against any of them.

Q. Are you a land-owner in Issaquena County?—A. Very slightly; I own my house and residence at Mayerville.

Q. Then the amount of taxes paid by you is not very large?—A. They are very small, sir.

Q. I suppose you have no personal knowledge of the troubles that occurred at Rolling Fork?—A. Nothing more than I have heard; no personal knowledge whatever; I was not there.

Q. Do you know the names of the negroes who were killed?—A. I know the names of two that were represented to me to have been killed.

KNEW TWO OF THE ASSASSINATED NEGROES.

Q. What were their names?—A. One was named Noah Parker and another named Brooks.

WHEN HIS COMPANY ORGANIZED—WHERE IT CAME FROM.

By Mr. McMillan:

Q. At what time was your company organized?—A. The organizing began during the troubles there at Rolling Fork, and I think it was probably about the 17th or 18th, maybe the 20th, of December, before we put the roll up, as there was no necessity of signing any further, as I was satisfied everything was quieted down.

Q. From what part of the county did they come?—A. Generally in and around Mayerville and the town of Skipwith, about four and a half or five miles from Mayerville; but only two or three came from Skipwith; most of them were from Mayerville and below there.

Q. About what area of country would be included in that?—A. I suppose an area of some six miles in three directions.

Q. At the time you had the conversation to which you refer you stated there were about ten enrolled?—A. The conversation with Gross?

Q. Yes, sir.—A. I think there were about ten enrolled at that time;

they dropped in and signed the roll occasionally after that. I did not have any call except the first call, after the adjournment of the grange meeting, and no effort was made at organization.

VERY SPARSELY-SETTLED REGION.

Q. At the time of this conversation there were about ten enrolled from different parts of the county?—A. To the best of my recollection, there were about that number. I will state that we are very sparsely populated in the county, and in the event of an uprising of the negroes, the planters, unless there was some organization, would have been taken off in detail, as it would be impossible to get together, many of them living three or four miles from any other white man.

Q. Did these persons know the purpose for which you were organizing them?—A. Yes, sir; every man read the preamble. It was set out in the preamble, and every man read it, and we talked it over.

Q. You said that it was not known at the time you made this demand for the resignation of Gross and Williams that the disturbance had occurred upon the forks?—A. No, sir, I did not say it was not known.

Q. You said you knew it?—A. I think I knew it. I don't know whether it was generally known.

ORGANIZED AS SELF-PROTECTION.

Q. Did you know that these men knew it, and knew that the organization of this company had grown out of this very action?—A. Yes, sir. I knew that those who signed the roll had news of it.

Q. Then were not they scattered through an area of about twelve miles in the county?—A. I cannot say that those who signed the roll at that time were. Those living at a distance were the last to sign it.

Q. They came into your office at various times and from different sections of the county and signed this roll?—A. Yes, sir.

Q. And they knew the purpose of the organization and the occasion that had given rise to it?—A. Yes, sir.

Q. Mr. Collins was the deputy sheriff?—A. Yes, sir.

Q. He was a white man?—A. Yes, sir.

Q. And a democrat?—A. A democrat; but in the employ of H. P. Scott, the republican sheriff.

Q. He was appointed by him?—A. Yes, sir.

Q. Do you know his politics?—A. I cannot say that I do. I have never seen him cast a vote. I don't think he voted at all at the last election.

Q. Do you know what his political status is as recognized by the white men in the county?—A. Yes, sir; he is generally regarded as a democrat.

Q. Who went on Mr. Scott's bond?—A. I don't know, sir. I think it is signed as a general rule though—it is signed by several parties—I think his bond was signed by A. T. Gramling, James L. Mayfield, David Mayer, and—I don't remember who else, sir.

Q. Are they colored men or white men?—A. All white men, and all democrats, as far as I know their politics.

AMOUNT OF BOND.

By Mr. BAYARD:

Q. What is the amount of the bond?—A. There are different bonds.

Q. Are they all given by these parties; are they his bondsmen in the different bonds?—A. Yes, sir.

Q. What is the total obligation on behalf of this colored man?—A. I cannot say, sir; but I think in the neighborhood of $50,000.

Q. What is the office worth?—A. I think it is worth about $6,000 a year.

Q. The chairman asked you this question, "Whether you undertook to decide who should be the levee commissioners:" did you undertake to decide?—A. I did not, sir.

Q. Did you, or those whom you represented, do more than to express a preference for certain parties?—A. We did nothing more, sir.

PROPERTY-HOLDERS REPRESENTED.

By Mr. McDONALD:

Q. What proportion of the property of the county was represented by the property-owners who met and appointed you and others upon this committee?—A. I suppose about three-fourths or four-fifths of the landed estate of the county was represented by those who met.

Q. Represented by those who met in the meeting that you spoke of, and by whom you were appointed to request the resignation of Mr. Gross?—A. Yes, sir.

THE COTTON-TAX.

By Mr. McMILLAN:

Q. Is a tax levied upon cotton in these levee districts?—A. Yes, sir; it is levied, though, by act of the legislature of the State.

Q. Do the persons who rent the land and raise the cotton pay part of that tax?—A. The person who ships the cotton pays it; the tax is collected from the cotton when it goes aboard the steamer, and whoever owns it at that time pays the tax.

Q. Then the land-owner may not own the cotton at all, or pay any tax upon it?—A. He may not own it; but as a general thing he owns a considerable portion for his rents and for the supplies which he furnishes to the renters.

Q. To whom does he rent generally?—A. He generally rents to colored men.

T. M. MILLER—ISSAQUENA COUNTY.

JACKSON, MISS., *June* 19, 1876.

THOMAS MARSHALL MILLER sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you live, and what is your occupation?—Answer. I am a lawyer, and my residence is now Vicksburgh. I have been living for the last five years in Issaquena County, Mayerville.

Q. Where were you last fall?—A. I was at Mayerville, Issaquena County.

CHARACTER OF THE CANVASS LAST FALL—OBJECT OF THE WHITES IN HAVING MIXED TICKETS.

Q. Did you act with either political party in the last canvass?—A. We had very little of party politics there. I was a member of the democratic party. They had no regular organization in the county to amount to anything. We had no prospect, as we thought, of electing any ticket, but just a short time before the election we did nominate a sort of mixed ticket. We selected from the candidates already in the field those that were thought the best men; that is to say, leaving blanks in the ticket, intending to vote for one or two candidates already out in the field, with

the hope in that way to induce some of the negroes to come and vote for good men for the board of supervisors. We regarded that as the only important office in the county, and our hope was to get two or three men of property, men who had the interests of the county at heart, as we thought, and who would stop the reckless management of the county finances. We intended to make some sort of a compromise with that view simply; and nearly all the white people intended to vote for sheriff for the man who was elected, Scott. That was the whole object of the organization, whatever it was.

ONLY ONE HUNDRED AND SEVENTY-FIVE WHITE DEMOCRATIC VOTES IN THE COUNTY.

Q. What was the result?—A. The result was nothing. We did not elect anybody. There was about 175 white votes in the county, democratic votes. Colonel Huger received about 175, the largest white vote ever polled in the county. It was a very full vote; I think actually the largest vote ever known in Issaquena County by several hundred. The full strength of the county was brought out.

TWO THOUSAND ONE HUNDRED BLACK VOTES—MORE THAN TEN TO ONE.

Q. How many black votes were polled in the county?—A. I think about 2,100.

Q. More than ten to one?—A. Yes, sir. The treasurer of the State was elected by a majority of 1,900; about 175 votes against him.

NO INTIMIDATION BUT GREAT APPREHENSION—NEGROES REPORTED THREATENING AND ORGANIZING.

Q. Were there any signs of intimidation or violence during that canvass?—A. Not a sign of any. That day when I returned home, about the first of October, (I had been away several months,) I found a great deal of apprehension among the white people there. It was found—it was reported, at least, currently—that the negro militia was being thoroughly organized through the county, and had been making threats of intending to get even with the white people in that country for what had been done at Vicksburgh and other parts of the State, and in this Clinton riot; and there was a good deal of excitement in consequence of that, and a great deal of apprehension felt, and reports were coming from every direction that the negroes were organizing throughout the county, drilling at night, and intended to bring about a collision.

THE WHITES ORGANIZED IRRESPECTIVE OF PARTY.

We organized—it was already organized—a small band of people in the neighborhood with the sole idea of self-preservation in the case of a collision, which they promised to do all they could to avoid—every single member, some fifteen or twenty people, I think. I went down to one of the meetings of it. By the way, that was irrespective of politics or party, that organization, inasmuch as we had in it both republicans and democrats. It was a white organization, because it was thought that in case a collision should occur it would be entirely between the races.

Q. Did the organization ever meet and parade, or anything of that kind?—A. No, sir; we never saw an arm upon a single member.

GROSS ASKED TO RESIGN ON ACCOUNT OF HIS OFFICIAL EXTRAVAGANCE AND MISMANAGEMENT.

Q. Have you any knowledge of Gross having been requested to resign his position on the board of supervisors?—A. Well, yes, sir; I know this much: Gross has been a member of the board of supervisors for two or three years, and the management of that board was mainly controlled by him; and the management had, as everybody thought, been one of

reckless extravagance and mismanagement, and his own conduct was generally characterized by an outrageous disregard of the rights of all classes of people in the county, and has created great hostility against him especially; and we thought that if Gross was out of the way, the other members of the board would be inclined to act more fairly. The feeling here was mainly against him. When those people came out from Deer Creek, some time in the early part of December, and discussed the propriety of asking some of these people to resign, Gross's name was mentioned.

I recollect I was present at a meeting called there at the time. I attended this meeting, and I told these people if they could get Gross out of the way, in a peaceable way always, it would be a very good idea; that unquestionably the taxes would be reduced in the county, and that was what we aimed at chiefly, and we would have a better system of county management. But I said that it would fail; while we could properly make the request, of course they could not think of making any threats, because that would neither be sustained by the public opinion of the State or elsewhere, and it would be a very wrong and imprudent thing to do.

The people at the meeting thought simply to pass some resolution or other that Gross should be requested to resign his position upon the board of supervisors, and a committee of three was appointed to wait upon him and express the sense of this meeting. It was composed of the best men in the county. I was appointed one member of the committee. I did not go, though; I did not go over to see him; and afterward, when I did see him, it had been unanimously agreed to withdraw the request, and it was withdrawn.

THE LEVEE-BOARD—NAMES SUGGESTED—QUITE A CROWD BUT NO INTIMIDATION.

Q. Was that after the appointment of the levee-commissioners?—A. No, sir; on that day he had declined to resign, and no threat was made, so far as I know. I was not with them, and I do not believe that they found him, and I never did speak to him on the subject. I stated, when the resolution was presented, that I did not believe it would result in anything, except probably he might be disposed to act otherwise in consequence of the position he would find himself in. At the time these levee-commissioners were appointed, Gross came over there with this man Buck Williams, a member of the board from Deer Creek. He came there, and they had concluded, I think, to disappoint the wishes of the people by not organizing the board. I went to Gross, likewise General Hampton and two or three others, and told him we did not propose to insist upon this thing at all. We thought it was of vital importance to the community that good men should be put upon the levee-board, and that was what we wanted, and would be very glad to have them go on in their organization and elect these men; but there was no hostile demonstration at all. These men spoke freely, and did not seem to be in the least intimidated. I am very well satisfied they were not. It was more a matter of persuasion than anything else. We wanted them to organize; have an election anyway. Somebody suggested, when Buck Williams refused, it would be a good idea to get up a fund and get him to go on with the organization; but it was not done, and the idea was apparently scorned. But they did organize freely, without any sign of fear, as I think. These gentlemen came in there and suggested the names of two gentlemen they would like to see upon the board. There was quite a crowd there on that day, but no threats, and there was no intimidation, I am satisfied beyond all question.

Q. No armed men; no exhibition of armed force?—A. No, sir.

Q. No suggestion of it?—A. No, sir; not a suggestion. I am very well satisfied if they had not seen proper to select the men, it would have been an end of the matter. A request; that was all.

CONDITION OF THE COUNTY AS TO TAXES.

Q. What was the condition of that county as to taxes?—A. Simply outrageous, the taxes were.

Q. State something in regard to that.—A. I had a good deal of experience in that line; I paid a great many taxes for persons in Issaquena County.

THE LEVEE TAX.

Well, now, there was a levee tax, to begin with, of one-half per cent. ad valorem on land.

Q. A dollar and a half on the hundred?—A. Yes, sir; for the purpose of constructing and repairing levees; in addition to that, a tax of a cent a pound upon cotton—no, half a cent; it had been reduced half a cent. Then there was ten cents on land, irrespective of the value of land; and then, after that, another tax of five cents on an acre of land. These were the levee taxes.

THE STATE, COUNTY, AND COURT-HOUSE TAXES.

Well, the State tax was last year about 9½ mills on the dollar, and the general county tax, I think, was 75 per cent. on the State tax, and then the court-house tax of 30 per cent. on the State tax. That is for the purpose of this grand-jury room. It was very extravagant. They paid $30,000 for one or two little rooms.

Q. The county tax was how much?—A. Seventy-five per cent. of the State tax—50 or 75. They had a school tax—a school-house tax of 20 per cent. on the local rate, a judiciary tax of 45 per cent. on the State tax. I don't remember any other tax; yes, the bridge tax of about 75 per cent. on the State tax. All together, I think, besides the levee tax, $26 on the thousand. That is my recollection.

By Mr. McDONALD:

Q. How much was it?—A. About twenty-six dollars on the thousand last year. Before that it had been still heavier. That is outside of the levee tax, Mr. McDonald.

REFUSAL OF BOARD OF SUPERVISORS TO HEAR PETITION FOR A WHITE SCHOOL.

By Mr. BAYARD:

Q. Do you remember the occasion of the refusal of this board of supervisors to permit a petition for a white school to be presented to the board?—A. Yes, sir; I had been attorney for the board for quite a length of time. They had appointed me unanimously, these negroes had, and I remained in that position for some time, when I resigned my position, something like over a year ago, on account of their reckless management and on account of the refusal to hear the whites in regard to schools, and so on. Right there at Mayerville there was a strong demand for a white school. There were some, I suppose, thirty or forty pupils, and they had no school-house. They had to employ a teacher, and they got a room wherever they could to teach in; and the people brought it to the attention of the board several times, and earnestly requested them to build a school-house there.

The board went through the pretense of posting a notice for bidders. The law provides that the contract shall be let out to the lowest bidder.

They posted two or three notices, and the bids were offered there by good mechanics to build a school-house at a good deal less than they had been paying for negro schools in various parts of the county.

HOW MAJOR SMITH WAS GROSSLY INSULTED.

And they rejected the bids on the ground of extravagance, and old Major Smith came up there about two or three weeks before the meeting in which Gross was to be requested to resign, and made a request, politely requesting them to have the notice renewed. He was very anxious about this school-house, and that was the wish of the whole community. It was opposed by this man Gross. One or two members were anxious to build it. This man Gross was very offensive to Mr. Smith, and told him to sit down, he didn't want to hear him, and finally drove him away in disgust and despair.

That was one of the main causes which induced the people to request Gross to resign, in order to get a board, if possible, who would do justice. I suggested that the resolution should read this way: that since we had decided to ask him to resign, to request him to resign in favor of Robert Murkinson, or Green Collins, or any other of several good negroes in the neighborhood who were also republicans. I will say that the suggestion met with a degree of favor, but we thought we would have no success. But I thought that if Gross could be got out and we could get a good republican upon the board, it would be very well.

Q. You did not propose to replace him by a white man or a democrat, but to put some respectable colored man in his place?—A. That was the purpose of a good many, and that resolution met with favor, but it was not carried in that way. Some persons favored it, and if it had been insisted upon it would have been carried through that way. There was no race feeling.

Q. Were you present at the time when Gross insulted Major Smith?—A. I was, and left the board in disgust.

Q. What was Major Smith's demeanor in coming to him?—A. Exceedingly polite.

HE IS TOLD TO SHUT UP AND SIT DOWN, AND HE SWEARS AND LEAVES IN DISGUST.

Q. He assumed nothing more than to urge the action of the board?—A. He asked that in a very earnest manner, but not at all offensive. Finally, when told to shut up and sit down, he said: "By God, I am a citizen and tax-payer, and have a right to be heard here," and went away disgusted, and I left also in utter disgust. I had business to attend to there, but I would not stay on account of it.

NUMBER OF WHITE AND BLACK SCHOOLS AND WHO PAY FOR THEM.

Q. By whom was the bulk of the school-tax paid?—A. By the land-owners; white people. The negroes did not pay over one-tenth.

Q. How many colored schools are there in the county?—A. A great many. They never refused any petition to build a colored school-house anywhere. They built them all over the county, and they had standing notices to build them.

Q. How many white schools were in the county at that time?—A. Only one that I know, on Rolling Fork. In fact, that was not a school-house, either. They used the basement of the church. They rented it. It suited very well for that purpose; no objection to it on that account.

Q. How far was it from that school-house to the other school-house that they proposed to build?—A. About ten or twelve miles. That was the main cause of the request to Gross to resign.

IMPORTANCE OF THE OFFICE OF LEVEE-COMMISSIONER.

Q. In regard to the levee-commissioner, was that office one of great importance to the safety of the property of the county?—A. Yes, sir: of vital importance; of the very last importance. Of course, unless the levees were kept up there, real estate would be of trifling value.

Q. To maintain the levee economically and safely, was not a certain amount of engineering skill and knowledge required?—A. O, yes, sir.

CHARACTER OF VERNON, THE LEVEE-COMMISSIONER.

Q. Had that skill been applied to the change of the levees in the years preceding 1875?—A. It was thought not. The engineer they had in there before, he had been appointed by the board then in, and was a man of very little character. The people did not generally believe he was competent at all as engineer; and we wanted to get a man that we could rely upon. That man Vernon had been appointed by that board, and appointed solely on account of his political principles. He was appointed, and when appointed it was supposed to be solely on account of his political opinions. He claimed to be a republican. In point of fact, he had no very fixed principles of any sort. I may state that Senator Bruce himself, then a member of the board from Bolivar County, was satisfied that Vernon was appointed entirely on account of his political predilections, and without regard to his fitness for the office. He declared, as I heard, very positively that he was utterly incompetent. They could not remove Vernon without changing the levee-commissioners. That was one reason of the strong anxiety to secure a change in the levee board. Vernon's reputation in the past had been very bad. One of his offenses here four or five or six years ago might have sent him to the penitentiary, if it had been prosecuted.

Q. What crime was that?—A. Embezzlement. He was an insurance-agent out here at Vicksburgh, and collected three or four thousand dollars and gambled it away there, and then attempted to commit suicide, and left Vicksburgh in utter disgrace, and settled up there in Bolivar County. He pretended to affiliate with the republicans there, and got to be county surveyor and finally levee-engineer of the county, but was never regarded as a good engineer. Vernon, however, never claimed to other people than republicans to be anything but a democrat. We regarded him as a very treacherous man in any camp.

Q. He was a man who was regarded as dangerous from his want of character and his incompetency?—A. Yes, sir.

Q. He was the engineer?—A. Yes, sir.

Q. And it was chiefly to avoid his re-appointment that you were desirous that the commissioners of Issaquena County should be different?—A. Yes, sir. Personally I have no interest in that; but that was the feeling generally in the community. I had no land there and no large taxes to pay.

Q. Was Bruce then a member of the board?—A. No; he ceased when he was appointed Senator. He resigned his position then as levee-commissioner.

Q. Do you know a negro man by the name of Derry Brown?—A. Yes, sir; I think I had some business transactions with him.

ABOUT DERRY BROWN AND HIS TROUBLES.

Q. Derry Brown has been before this committee and stated that he had been compelled to leave Issaquena County for fear of violence to himself, and he had left behind him some personal property—a good deal of property, cotton and corn, and some other things, which he had been prevented from realizing upon, and been compelled to abandon them

and leave there.—A. Well, I don't suppose it would have been safe for Derry Brown to have come back there. I was there at my house when those people came out in December after this trouble, when they held that meeting and adopted certain peace resolutions inviting everybody to a better state of feeling; to return to a better state of feeling. They wanted the white people and the colored people to understand each other, and that was claimed to be the purpose of this meeting. A great deal of terrorism was in the community at that time, and we wanted to soften that down; so the people wanted some public expression that they did not mean to perpetuate any feeling of hostility. That was what they came up there for.

Tom Hunt, of Jefferson County, came up to my house with Derry Brown. He came there one night; he had left Derry Brown and went down to Rodney, and he came there for the purpose, in the first place, of collecting his rent. Derry Brown had rented the place from him; and Derry would not be allowed to return to the creek, and he had left some cotton out there. Mr. Hunt came to ask me to see about this, and see if they would not consent to his return. I asked Derry what he had to do with the trouble out there. That is when he called. He said at first he had nothing in the world to do with it.

I went and saw Captain Moore, and two or three others from the creek, and told them that Derry Brown wanted to go home to pay his rent, and pick his cotton. Mr. Hunt was interested in it, and wanted them to let him go back. The gentleman to whom I spoke said that personally he would be glad to have him return, and everybody return, as labor was being disorganized, and a deplorable state of affairs existed, but that there were people on Deer Creek for whose conduct they would not undertake to be responsible.

Derry Brown had been one of the most malignant and terrible fellows in the whole community during those troubles, and if he went back there, the probability was some of these men whom they could not control might attack him; he went on to say that even if they should agree all of them to Derry Brown's return, the negroes down there in his neighborhood would not consent to it. They were as much inflamed against him as the white people were.

Q. From what cause?—A. This exceeding malignity in stirring up troubles there when the trouble was all at an end. They stated that Derry Brown had gotten up a company after they had that fight up there, and when they proposed at the meeting on Deer Creek below to restore order and good feeling, and they had sent a committee down there and among others they met Derry Brown, and that all were in favor of disbanding except Derry, that Derry said that he would never disperse his men until he had as many white men laid out there as there were negroes that had been killed. There was much feeling in consequence, and that would inevitably overtake him. He thought it would not be safe for him to come back, and told me to advise him not to go back there. Derry Brown waited until those people went away. Major Hunt wrote a surrender of the three years' lease of seventy-five acres of cleared land which Derry had. Hunt was a good friend to Derry, and was lessor of the place.

Q. A white man?—A. Yes, sir, and said to be a republican, and superintendent of education in Jefferson County. He was a very nice fellow. He wrote this surrender of the lease of the unexpired term, and also wrote a power of attorney to Major Hunt to collect his property down there and dispose of it and turn over the proceeds to his wife to bring it down to him, and he would go down to Mr. Hunt's place in

Louisiana and stay. He told him to take the cotton; he would find eleven bales of cotton, and pay his rent, which was $500. Major Hunt agreed to pay my fee in a cotton-case—cotton that was levied upon by another party. I went out with Major Hunt to Deer Creek—in the neighborhood of where these troubles had recently occurred—and found these eleven bales of cotton at the gin on Watson's place. Hunt had been authorized to take this and pay his rent, and found he had left some cotton in the field—indeed, the field was white with cotton. His wife was on the place, and she seemed to have control of his wagons, mules, and two or three cows that he owned. In the first place, we found that a man by the name of Kehoe, out in Deer Creek, had taken advantage of the absence of Hunt and asserted a claim he had against Derry Brown of back rent. He had once claimed the land, and had been evicted from it before.

Q. Was he a white or black man?—A. A white man; he had sued out a writ intended to be a distress-warrant for rent, and levied on these eleven bales of cotton. I found that the pretense under which he obtained it was a fraud on the magistrate, and we concluded to disregard it, and Major Hunt took the cotton for rent. There was some cotton in the field, and I suppose that some fifteen or twenty bales might have been saved out of it. Hunt came back and agreed to sell the cotton in the field for Derry Brown for eight bales of ginned cotton. He did so, and gave authority to employ the negroes, and they came there and gathered the cotton. I know he got the cotton, eight bales of cotton.

Major Hunt is a very responsible man, and I have no doubt paid the proceeds to Derry Brown, and his other property was not disturbed. Those people said they would not interfere with anybody's property or affairs at all, and I am satisfied his wife took his stock and wagon, and carried them where he was—his personal property—carried them where he was.

I learned at that time that the feeling of the negroes against Derry Brown was extreme. They said he had been the worst among them, and came up there with a lot of men and made a speech in front of Mr. Watson's house, in which he told those negroes they all had to go along with him, and if they did not he would see that they were strung up themselves. He was exceedingly bitter, and was heard by ever so many persons. Watson was one of those who heard him speak, I believe.

Q. I will ask as a matter of fact, after this property was found as stated—left there, abandoned by Derry—whether he gave you a power of attorney to settle it for him, and whether his property was sold and the proceeds accounted for, according to his wishes?—A. He gave a power of attorney to Major Hunt. That was his wish; in fact, he suggested it; and he was satisfied it was better to sell his cotton in the field rather than have the expense of picking it. It was left optional whether he would gather it or sell it in the field. He sold the corn there; it was deemed the best plan to sell it, and he got seventy five cents a bushel for 3,400 bushels, and was authorized to pay certain obligations of Derry Brown which he had arranged for. The balance, some eight bales of cotton—they paid him eight bales, which was a very fair price, as much as Derry could have made out of it—were sold, and I have no doubt the proceeds were turned over to him. Mr. Hunt is a responsible man, and well off.

Q. What did he say about going out to another place of Hunt's?—A. He said he would go to Louisiana and stay until he got that money.

Mr. Hunt sent me fifty dollars. They agreed to pay me, authorized him to pay me, for attending to that Kehoe case.

Q. Kehoe came from where?—A. From Memphis.

Q. What was his claim against Derry?—A. Kehoe formerly owned that place or pretended to own it. He had a void title, and had leased that place to Derry Brown, and Derry had been sued on ejectment, under tax-title, and had allowed judgment to go by default without notice to Kehoe, who came out and claimed, under the statute, three years' rent for not getting notice. He sued out an attachment for this three years' rent, claiming $1,500, and levied on the eight bales of cotton.

Q. It was under a proceeding in a court of justice?—A. Yes, sir; I advised the constable who had levied the distress-warrant that it was utterly void. Kehoe obtained it by fraudulent representations to the justice of the peace. He told him to let the writ go; that he was in a great hurry, and he would furnish bond in the course of an hour or two. I told him that it was a fraud and the writ was void on its face.

Q. You defeated Kehoe's proceeding?—A. Yes, sir; he never made any further effort, or pursued it further.

Q. The cotton or its proceeds had been paid according to that power of attorney?—A. I think there was no doubt about it. Mr. Hunt is a responsible man of high standing.

Q. If Derry Brown has lost it, it is because he has not seen fit to pursue it in the hands of Mr. Hunt, and Mr. Hunt is the person whom he selected to receive the money?—A. Exactly; there is no question about that. He has never been disturbed in his property; no interference at all with his property. Mr. Hunt had authority to take it.

NATURE OF THE AFFAIR AT DEER CREEK.

Q. Will you say to this committee what you understand from what you know of the Deer Creek country, was the nature of the affair in which these six or seven negro men lost their lives, in what was called the Deer Creek riot—the Rolling Fork riot?—A. Well, I would not undertake to give any account of it except from rumor. I have heard conflicting reports. I have understood on the one hand that these men who were supposed to be ringleaders in the difficulties they had, had been taken out and shot because the people there saw no other means of securing any justice. On the other hand, I have heard that these six or seven men there were killed in a conflict that occurred down there on a plantation between the whites and the negroes.

Q. Both armed?—A. Yes, sir; no question about that; both sides were armed.

Q. Did you hear of any white persons that were hurt in any of those conflicts?—A. Yes, sir; one was killed there on the creek. One man was killed, I understood, by one of these negroes; was killed at a plantation there. I heard the circumstances narrated of a white man being shot.

Q. Do you remember the names?—A. No, sir; I do not remember the names. One of those who was killed was a regular client of mine, a negro whose case I had in the supreme court at the time.

THE REV. MR. BALL.

Q. Do you know the Rev. Mr. Ball, a clergyman?—A. Yes, sir; he is a man of high character.

Q. Do you know him well?—A. I met him two or three times.

Q. Is he a man of high character?—A Yes, sir.

Q. What is his persuasion?—A. Baptist preacher.

Q. Is he a man from his reputation in that community who would be likely to commit an act of lawless violence?—A. He was not.

THE DEER CREEK MASSACRE.

Q. Do you know whether he was the leader of the armed men by whom these blacks there were killed?—A. He was reported to be. I will say this, Senator, that concerning these conflicts it is hard to get anything certain.

NATURALLY A RETICENCE ON THE CREEK ABOUT IT.

There is naturally a reticence there on the creek in regard to it. I would say, from the character of the men who are supposed to have been engaged in the trouble, if this thing did not occur in a pitched fight, that they thought they were acting on the principle of self-preservation. That has always been my idea about it.

NEGRO MAGISTRATES TAKE STRAW-BAIL.

The magistrates there were all negroes, and if you were to arrest anybody they would take straw-bond. It was impossible to get them bound over; and the minute that they were released they would go back, and would be engaged in the same thing that they were before. These men that were arrested at Rolling Fork were back immediately and went to organizing their troops, and the whole militia in the neighborhood was composed of negroes and officered by negroes, and a very great apprehension was felt.

MY IDEA IS THESE GENTLEMEN, IF THEY DID THAT, IT WAS DONE TO STRIKE TERROR TO THE HEARTS OF THESE NEGRO MEN.

And my idea is that those gentlemen on Deer Creek, if they did that, if it was not in a pitched fight, it was done to strike terror to the hearts of these negro men, with a view of their own preservation. It was anticipated, from the threats that had been made and which they intended to carry into execution, to burn houses and kill women and children. You cannot imagine the horrible state of feeling that existed over there at this time. Further on the river front, they had very little of it. For my own part, I never felt any personal fear.

Q. Had you a family?—A. Yes, sir; in the town of Mayerville. I had so many negroes that made reports to me of threats being made, and for myself they said they meant to protect me in the event of a collision of any kind. I defended nearly all the negroes.

THE WHITES ON THE PLANTATIONS ON THE MISSOURI RIVER FRONT.

Q. State the condition of the white planters. How large are the plantations, and the relative proportion of the two races?—A. On the river front, the plantation is on an average from 800 to 1,000 acres of open land, besides a great amount of timber. These white people are from one to two miles apart.

Q. In a plantation of that kind, what body of black people live also on the plantation?—A. There would be nearly a hundred; about a hundred hands.

A HUNDRED BLACK FAMILIES TO ONE WHITE FAMILY.

Q. Then a single white family would have a hundred black families around them?—A. Yes, sir.

Q. And at a distance of from one to two miles from any white man's house?—A. That was the condition on the river front.

TEN BLACKS TO ONE WHITE ON DEER CREEK.

On Deer Creek more white people, but they were scattered; but there were a few more white people on the creek, as the census shows.

Q. The proportion is what?—A. The census shows a total of about seven hundred white people and about six or seven thousand negroes. There is about one to ten, I imagine.

NEARLY ALL THE COUNTY OFFICERS ARE COLORED.

Q. I understand that the officers of the peace, justices and constables, all that class, are composed of colored people?—A. Nearly all. Only two white officers in the county. The sheriff's office is run largely by the deputy, who lives there.

Q. He is under the control of the sheriff?—A. Yes, sir; we got the information from him a short time before the election that the negroes meant to produce a collision.

Q. Was that Scott?—A. His deputy. Scott himself, I think, was in great dread of the negroes—that there was a great deal of danger of a riot to be sprung there in Mayerville.

SCOTT A VERY HONEST NEGRO AND VERY HIGH-TONED FELLOW.

Q. Scott himself is a man who is well regarded by the whites in that community?—A. Yes, sir; and in the last two or three meetings that were held there they passed resolutions indorsing Scott as a very honest negro and very high-toned fellow. Scott has never given any offense to our people, he being exceedingly honest and upright in his conduct, and there would be no objection to any officer in the county if he was like Scott. It shows that there was no objection on account of color or politics. No democrat wanted to change that office of sheriff particularly, and really did not care to see a change, and we knew there was very little chance of electing any democrat; but nobody cared to change, even to get a democrat.

Q. He was honest and capable, and well thought of and respected by the people?—A. Yes, sir.

Q. And they passed resolutions at this tax-payers' meeting approving his conduct and his course?—A. Every time; they approved his conduct; and another member of the board, Mitchell, they always approved very highly, and no disposition was felt to oust them.

WHITE REPUBLICANS SAID THEY WOULD NOT GO BACK ON THEIR RACE.

Q. Was the issue one of race, or only honesty against dishonesty?—A. That was the view I always took of it. So far as any collision was concerned, that might be regarded as a matter of race, because among the white people there every republican white man, at least numerous republicans, white men, came to us and told us that if it ever came to that they wanted to be counted on the white side. They would not go back on their race in an issue of that kind; Judge Jeffries and another man, and there were very few republican white men except those two.

ABOUT BOWIE FOREMAN.

Q. Did you know a man in that county named Bowie Foreman?—A. Yes, sir.

Q. Where does he live?—A. Somewhere on Deer Creek.

Q. What was Foreman's character in the community?—A. He had always been regarded as a terrible fellow. I never saw him when he was not drunk.

Q. Do you know whether he was removed from the grand jury by Judge Shackleford, upon request of all the other grand jurymen?—A. Yes, sir.

Q. When?—A. In the fall term of the court; last fall, I think; in the November term. Yes, sir; I remember that the grand jury preferred a request to the court, Judge Shackleford, stating that he was a perfect nuisance, drinking and exceedingly disorderly. It was stated that he was on the grand jury for the purpose of protecting certain criminals in his neighborhood; that he induced a member of the board of supervis-

ors to appoint him on the grand jury with that view. I do not know who.

Q. Did you know whether this man was of intemperate habits?—A. Very.

Q. Do you know whether he was the owner of a good amount of property there?—A. I do not know, sir. I never thought and never regarded him as a man of industrious habits; as a man who would be likely to accumulate anything. I never saw him but he was drunk, and up to 1875—say 1874 about—he had the office of constable. He would frequently get drunk and ride over the country serving his writs and collecting his fees.

Q. Did he ever embezzle any money there as constable?—A. He is said to have taken a good deal. This Noah Parker, this justice of the peace who was killed out there, I defended him when he was tried for embezzlement, and he made a statement there, which everybody believed, that while he had charge of his books the fees were collected; he had remitted the duty of collecting these fees to this constable, indulging the parties that were arrested; and that Foreman collected a large amount of that and never paid it over to him. Nearly everybody believed the statement that Parker made before the court. The court even favored him—I believe it was Judge Shackleford—but he had to convict him, as the statement was not evidence. I know that Bowie Foreman was generally regarded as a very trifling and disreputable, drunken fellow. That is the opinion I have always had, although he was a good-natured fellow. I think that is the current opinion in his neighborhood.

DERRY BROWN FLAMED UP AFTER THESE TROUBLES ON DEER CREEK.

This man Brown had borne a very good reputation up to the time of these troubles on Deer Creek—this man that I spoke of, Derry Brown—but he flamed up there in a way that surprised everybody.

ABOUT GROSS.

Q. Do you know whether Gross owned any real estate in the county of Issaquena?—A. I never heard of it before.

Q. Do you know where he lives?—A. Yes, sir; on the Holly Ridge plantation, about three miles above Mayerville. I have a claim against him, I know, of nine or ten dollars he has not been able to pay for the last two years.

Q. Has he any real estate?—A. I do not think that he is the owner of any real estate.

Q. Who is his landlord?—A. Mr. Davis, of Philadelphia.

Q. Does Mr. Davis own the land?—A. Yes, sir; he leases a few acres—twenty-five or thirty acres.

Q. He made some statement that he and his brother in-law owned some five hundred acres on which he lived?—A. There is a negro living down there who cultivates about forty or fifty acres. I do not know whether he is a relative of Gross or not.

Q. This man gave the name of Davis, and stated that he paid a thousand dollars for the tract of land.—A. I do not know anything about it.

Q. He does live on the land belonging to Mr. Davis, of Philadelphia?—A. Yes, sir; I have been by his house hunting. He has a small cabin back there on the plantation, and I am well satisfied that he has not bought that tract he lives on, because Mr. Davis would not sell that for any amount of money. He has some back in the swamp; and a piece of that he may have sold him; but I cannot imagine how Gross is to pay for it.

NEGROES A VERY GOOD-NATURED AND CLEVER PEOPLE, BUT VERY EASILY INFLAMED.

So far as the feeling between the white people and the negroes is concerned, it is very kindly, and they generally get along very well together. My relations with the negroes have always been very pleasant. I have done a great deal of business for them, and they are naturally a very good-natured and clever people, but very easily inflamed.

WITNESS NEVER FELT ANY FEAR OF THEM.

By the CHAIRMAN:

Q. You never felt any fear of this personal injury?—A. No, sir; I never agreed with a great many persons there who believed there would certainly be a collision there. I recollect I wrote some account of that feeling in a Vicksburgh paper, in which I stated I did not believe it; but the general apprehension was very great that there would be. That was immediately prior to the election. They were very threatening, and the white people were completely at their mercy.

Q. You spoke of negroes holding meetings at night?—A. No, sir; I do not know. I did not mean to say that. It was currently reported that they had nightly drillings and were thoroughly armed.

ALL MISSISSIPPIANS OWN ARMS.

Q. Have you any information as to the extent of their possessing arms?—A. No positive information. I know that nearly every negro man in the county has a double-barrel shot-gun. I know also every white man is armed. Scarcely a man in the whole community who has not a gun of some kind.

Q. Have you known of their making any attack upon white people?—A. Well, only that affair on Deer Creek.

Q. That has been a question?—A. So far as my individual knowledge goes, it is.

DOES NOT KNOW OF NEGROES MAKING ATTACKS ON WHITE PEOPLE.

Q. You do not know of their making any attack upon the white people of the county?—A. No, sir. I know of personal collisions.

THE DEER CREEK MASSACRE.

Q. I understand that, from what you stated, you did not state whether at Deer Creek the white people were actually defending themselves, or whether, under apprehension of future attack, they made this assault upon the negroes for the purpose of preventing it?—A. I was answering about that from the reports.

FEELS SATISFIED THAT IF THE HIGH-TONED CITIZENS DID KILL THE NEGROES, IT WAS, AS THEY REGARDED IT, IN SELF-DEFENSE.

I feel satisfied from the character of the men who were supposed to be engaged in it—generally law-abiding, high-toned citizens, and who were interested in the preservation of peace and good order in their neighborhood—I will state that they would not do anything that looked like wanton cruelty and revenge. I am satisfied of that beyond all cavil or question; and if they did kill the negroes in the manner described by a good many it was, as they regarded it, in self-defense and in defense of their homes and families.

AN EXERCISE OF LYNCH-LAW.

Q. I understand that it might not actually be self-defense in presence of personal peril, but from a feeling that if something was not done there would be an assault upon them at a future time?—A. It was what might be regarded, if they were not killed in conflict, as an exercise of what they called lynch-law.

YES; A PRECAUTIONARY MEASURE—THEY HAD SELECTED THE RING-LEADERS, AND WHY.

Q. It was a precautionary measure?—A. Well, sir, yes; I should think that they had selected the ringleaders in that difficulty, knowing no other means of reaching or punishing them.

ABOUT MOSES JOHNSON.

Q. Was there a man by the name of Moses Johnson killed in these difficulties?—A. I think there was.

Q. Did you know him?—A. Very slightly.

Q. What did you know of him?—A. Very little.

Q. Did you know anything of him?—A. I think I had a case of his in the term of the court before that.

Q. What was his standing?—A. It was very little that I knew about him.

Q. Was he generally known as a peaceable, intelligent, upright man?—A. I would not undertake to say.

Q. You never heard the contrary?—A. If I am right in the person, I would say that he impressed me as a very substantial man. I am not certain, however, about that. I believe I had a case of his.

Q. He was one of the victims of that affair?—A. So I understand; yes, sir.

ABOUT THE REV. COL. BALL.

Q. About Colonel Ball; he was said to be the leader of this movement against the negroes?—A. Yes, sir; at that time.

Q. How long has he been in Issaquena County?—A. He was there two years before this time, I think, and staid there some time, and then was gone some time, perhaps seven or eight months, and came back in the early part of last year, and was preaching at Rolling Fork, in that neighborhood.

Q. Was this movement against the negroes by an organized body of men, as you understand, of which Mr. Ball was the head?—A. I understood they organized there very hastily after these troubles began at Rolling Fork.

Q. I understood you that these men were organized?—A. I spoke of that little organization in the neighborhood of Mayerville.

Q. There was a military organization there at that time?—A. It could hardly be called that. It hardly reached the dignity of that. It was an understanding that in case any collision occurred, we would be under the direction of one man. Mr. Farrish had been selected to command in the event we had a difficulty. But I think every man in there would have been zealous to prevent anything of that kind, if possible.

Q. Was there not a similar organization on Deer Creek?—A. I do not know, sir. I had always understood that those people hastily assembled and organized a military force after the blacks had declared themselves in that way.

Q. Why do you suppose that a clergyman was selected under the circumstances? Had he been in the military service?—A. I do not know. He might have been a colonel in the Army. He was a man of great nerve and strength of purpose, I should judge.

Q. And for that reason he was selected for this occasion?—A. I suppose so. He was also deemed to be a man of prudence. I do not think Ball was a man who would bring on any unnecessary collision.

NEGROES EASILY INFLUENCED.

Q. Have you ever known a case in which the negroes, when appealed to by such considerations as usually operate upon men of timid minds,

did not yield to the suggestions made to them by the white people?—A. I have known no occasion to have exhibited anything of that kind.

Q. They are, are they not, generally, if there is no temper manifested on the other side, disposed to receive suggestions as to what they ought to do?—A. I think evidently they are.

ABOUT THE LEVEE SYSTEM.

Q. Were you in Issaquena before the war?—A. No, sir.

Q. If you have lived upon the river, you know about the levee system?—A. No, sir; not before the war.

Q. Perhaps you can tell whether there was a levee system before the war?—A. Yes, sir; they had a levee system.

Q. Can you state in brief what that system was?—A. I could only say from the statutes.

Q. Was it similar to the present system?—A. No, sir; not altogether; each county had the appointment of certain commissioners; each county undertook to manage its own levee affairs in connection with the others; each a *quasi* corporation.

Q. During the war the levees were very much neglected, were they not?—A. Yes, sir.

HOW THE LEVEE TAXES HAVE BEEN REDUCED.

Q. When the levee system was re-organized in 1865, was there not resting upon this district of Bolivar, Issaquena, and Washington a debt something like a million of dollars?—A. Yes, sir.

Q. Do you know what the debt resting upon that district now is?—A. That debt is now, I think, reported at about $400,000. I think it is so stated.

Q. So, as a matter of fact, has or has not the levee debt been reduced about $600,000?—A. Yes, sir.

Q. Has not a portion of the tax which has been levied been, from year to year, applied to the reduction of this debt?—A. Unquestionably.

Q. As I understand, there were six men composing the levee board of this district, of which Issaquena is a part?—A. Yes, sir.

THE PRESENT LEVEE BOARD.

Q. Were any steps taken in Washington and Bolivar, at the time the steps were taken in Issaquena, to secure the two persons whom you have named—to secure different persons in those other counties from the men who had been on the levee board?—A. I cannot speak very well as to that. I understand in those two counties—I understand that in Bolivar County one republican and one democrat were selected, and I think Libbey was a republican. In Washington, one democrat was elected on a mixed ticket. They never would have selected the men they had anyway. They changed the administration of the levee board. They selected General Ferguson as one.

Q. He lives in Greenville, does he?—A. Yes, sir. I do not recollect the other one.

Q. The engineer was not there as one of the commissioners; he was an outside person?—A. Yes, sir.

Q. He was elected by the six?—A. Yes, sir; he held during pleasure.

Q. Do you know whether there was any complaint against the nominations there in Washington and Bolivar Counties?—A. There was a general complaint against the whole levee board.

COMPLAINTS AGAINST THE OLD LEVEE BOARD.

Q. What exactly was the subject of complaint against the levee board?—A. It was mainly on account of the engineer. The levees had

been breaking year after year, notwithstanding there was what was considered an excessive tax raised for the purpose of keeping them in repair. In all the counties, the levees break every year; in Bolivar County, nearly every year; two years in succession down in Issaquena. They thought it could have been saved by any sort of management.

Q. There were four commissioners outside of Issaquena; if they were not satisfied with the man, they had a majority of the board?—A. Yes, sir.

Q. And if they saw fit, then, the members from Issaquena must have submitted?—A. Unquestionably.

Q. How did it happen that the responsibility was fixed, or appears to have been fixed, upon the members from Issaquena?—A. I never knew that was the case. The complaint was generally in the district.

Q. There was no special objection to the representatives of Issaquena County?—A. No, sir; no special objection to the individual members from Issaquena. I know it was against the board in the district.

CREVASSES OCCURRED UNDER THE SYSTEM BEFORE THE WAR.

Q. Is it not true that previous to the war, under another system, the levees generally broke in some places, and there would be crevasses occurring at unseasonable times of the year?—A. I think there were cases, frequently, of that kind. I am not familiar with it before the war. I know nothing personally about it. They are regarded as difficult to keep up.

GOOD CROP LAST YEAR.

Q. The crops were very good last year?—A. Yes, sir.

Q. You had quite a large crop?—A. Yes, sir; but the return was very limited for it.

VERNON BEING IN OFFICE A STANDING GRIEVANCE.

Q. The levee-commissioners were not responsible for that. Was there any particular reason the first day of last January for making a special complaint, either of the levee-commissioners appointed by Issaquena or of the whole board of the district?—A. I should judge that there was a standing complaint.

Q. I did not ask you whether there was a complaint, but whether you know of any particular reason at the close of the year 1875 why there should have been a special complaint against the commissioners representing Issaquena, or the commissioners of the whole district.—A. Personally, I would not undertake to say. I know that the mere fact of Vernon being in office was a standing source of complaint throughout the whole levee district, Issaquena County and others. Of course, it fixed the responsibility upon the whole board.

REDUCTION OF TAXES UNDER REPUBLICAN RULE.

Q. Is it not true that the levee tax was less in 1875 than in previous years? Had it not been reduced?—A. Reduced half a cent upon the cotton.

Q. That was $2 a bale?—A. Yes, sir. I think there was no other reduction.

Q. Well, it was more than one-third of the whole tax, the reduction of half a cent a pound upon cotton which had formerly been a cent, and it was reduced half a cent. In round numbers that would be from $4 to $2 a bale?—A. Yes, sir.

Q. The levees had been kept up, and the debt against the levee district has been reduced from a million to four hundred thousand dol-

lars?—A. I do not know what it originally was. It has been paid very considerably; still, it is thought if they had used proper economy it would have been much more seriously reduced. They were collecting taxes which was something like one hundred and seventy or eighty thousand dollars a year upon cotton alone—a tax on cotton of four dollars a bale.

By Mr. BAYARD:

Q. The levee tax?—A. Yes, sir.

NO PROOF OF THEFT OR EMBEZZLEMENT.

By the CHAIRMAN:

Q. Was there ever any reason to suppose the money was stolen or embezzled?—A. I never heard the proof upon that subject, but heard expressions of that kind.

Q. Have you heard of supervisors being indicted in Issaquena County?—A. Yes, sir; they have, about the levee tax.

SUPERVISORS ACQUITTED ON THE PLEA OF IGNORANCE.

Q. Were they not acquitted?—A. No, sir; they were let off with the payment of costs.

Q. On the ground of no intentional wrong?—A. On the ground that they were too ignorant to know how much they might levy; and they did not get the assistance of anybody who could, but went ignorantly ahead. I recollect the district attorney, in his speech to the court stated that they were so ignorant they should have been removed. It was in his speech he made to Judge Shackleford.

Q. That was perhaps relating to some justice of the peace?—A. No, sir; it had reference to the members of the board of supervisors of that county.

WHITE AND BLACK OFFICERS.

Q. Were there not some justices who, in Issaquena County, were white men; always some?—A. Not always, I think. There was always one white man in Mayerville—the mayor, who is *ex officio* a justice of the peace.

Q. He was a democrat?—A. Not until last year; at least he is called a democrat. He has only been there a short time.

Q. Mr. Collins was deputy there under Mr. Scott?—A. Yes, sir.

Q. He is a white man, and the democrats would rely upon him?—A. Yes, sir.

Q. Scott you spoke of is a very worthy and good man in his intentions?—A. Yes, sir.

Q. And there is no doubt that all of these persons of whom you have spoken as being among the first people, and armed, would, upon any proper requisition of the sheriff or deputy sheriff, have sustained him in the execution of any process?—A. I think so.

THE DEER CREEK MASSACRE A SUDDEN, RATHER A SUDDEN THING.

Q. Now, having a justice of the peace, and having a sheriff of good intentions, and a deputy sheriff on whom you rely, and a body of men who would have formed a posse for any purpose, was there any difficulty in executing any process against any black man in Issaquena who violated the law?—A. I think it would have been exceedingly difficult to obtain a posse of white men to arrest a negro, unquestionably. I think the white people would have refused to serve upon such a posse, for the sole reason that it would have the appearance of bringing about, or the intention of bringing about, a conflict between the races; and they

all knew that so far as this transaction on Deer Creek was concerned—the only time and place at which there was ever any actual collision between the races—they had no time to have taken the ordinary course. That was a sudden, rather a sudden thing.

THE FIRST PEOPLE OF THE COUNTY OUT.

Q. Upon the theory that it was a mere precautionary measure, there would have been time to have summoned a posse?—A. I do not undertake to say that on my theory there would have been time at all. My theory was based merely upon the character of the gentlemen who were supposed to have been connected with that thing. Moreover, it assumed that they did put these men to death in the manner which has been charged, thinking that they were doing that in self-defense; thinking that it was the only hope of reform, and it was not a case to admit of any other process; because if they had been taken by the sheriff to jail, they would have been released, and the few white men there in Issaquena County could have done nothing.

Q. These people who were supposed to have been engaged in this affair were among the first people of the county?—A. Yes, sir; of Deer Creek.

NOT TECHNICALLY SELF-DEFENSE; ONLY SO ON A BROADER PRINCIPLE.

Q. If it were a case of actual self-defense, there would have been a coroner's inquest. Was there any?—A. No, sir.

Q. Would it not have been practicable to have had a coroner's inquest, if it was a case of self-defense?—A. No, sir; because it would not have been technically self-defense, upon the assumption that they were not killed in actual engagement. As a matter of course, it could not have been, technically speaking, self-defense; and only upon the broader principle of self-defense, which would justify one man in killing another, who is under actual and imminent danger of attack from that other person, whom he knew meant, as soon as opportunity arose, to kill him. That assumption and that theory are based upon the character of the men engaged in it, who believed that if those men were not punished, the greatest injury would happen.

VALUE OF THE OFFICE OF SUPERVISOR.

Q. How much is the office of supervisor worth?—A. Scarcely anything; that is, legitimately. I think the allowance is three or four dollars a day, and five cents a mile, going and returning, in scrip; but this scrip is only worth about fifty cents on the dollar.

Q. How many days does it usually occupy?—A. From two to four. The law limits each meeting to four days.

A COSTLY COURT-HOUSE.

Q. How many meetings a year?—A. They are not allowed to sit exceeding thirty days a year; but, in point of fact, they do sit longer. When organized, the board let out that court-house contract; and they put up a little court-house, I suppose the smallest and most insignificant public building in the whole country, and they paid altogether for it about $34,000, and it was generally regarded as an outrage. That excited a good deal of hostility against them.

Q. Was the republican convention at which the supervisors were nominated held at Mayerville?—A. I think the supervisors were nominated in a district convention, but I am not certain about that, however.

EFFORT TO HAVE A MIXED TICKET.

Q. Was an effort made by the property-holders of the county to secure different nominations from those that were made?—A. No, sir;

for the simple reason, we supposed, there was no use in it. Just a short time before the election, they took the first step toward organizing. They had a meeting on Deer Creek, and agreed to a ticket in which the sheriff was left blank and the chancery clerk was left blank—the idea being to retain these republicans as far as they could, and then to have nominated two or three negroes for justices of the peace, and some nominated before, in 1871, and one of the negroes a member of the board, and the rest were to be white men. That ticket met with no success at all.

HOW VACANCIES IN THE BOARD OF SUPERVISORS ARE FILLED.

Q. In case of vacancies in the board of supervisors, how are they filled?—A. By special election in the district.

Q. Now, then, as I understand, on or about the 16th—I do not think you stated until the 16th of December this committee called upon Gross and asked him to resign.—A. I was appointed a member of that committee. I was secretary of the meeting, and they appointed me one of the committee to make that request.

ABOUT MR. GROSS'S RESIGNATION.

Q. Then there was another committee that called upon Mr. Williams?—A. I do not know anything about that.

Q. How did you expect that these vacancies were to be filled; what aid did you suppose was coming from the property-holders of the county by getting these men out?—A. My idea was that we would select such men as I have named before; such as Murkinson. He is the owner of a plantation of four or five hundred acres, and made all that property in the last seven or eight years.

Q. Mr. Williams had been a member of the board some four years, and Gross two years; and when the nominations were made by the republican party, the capacities and character of these men were just as well known as on the 16th of December, were they not?—A. I suppose so. Those particular things I mentioned a while ago as being one of the greatest causes of the hostile feeling against Gross particularly arose after that time.

Q. After the election?—A. Yes, sir; I think so. I think that Mr. Smith went there to have them build that school-house after the election. My recollection is that it was, and I am almost certain.

Q. And this matter of the court-house?—A. That occurred before.

Q. And the negroes were probably just as susceptible to that influence that you say was considered necessary?—A. I did not say that; I say individually.

Q. You had a good deal of influence with Mr. Murkinson?—A. Yes, sir; but I did not refer to my influence with the negroes. I mean with those white people in the neighborhood.

Q. Mr. Murkinson was a negro?—A. Yes, sir; but my idea was that I could induce them not to nominate any man at all. My idea was to allow the negroes to nominate a man like Murkinson.

Q. But how were you going to get him nominated?—A. We thought that when the people expressed themselves in favor of an honest negro, that would be positive, and would show that our purpose was to have an honest administration, and not to make any race question.

Q. Why did not the white people, with the influence of which you speak, your own included, make the attempt to get such men before the time to which you refer?—A. For the simple reason that the white people were aggravated, and any suggestion coming from a democratic quarter at that time would have been met with a cold shoulder.

Q. Had there been anything except the affair at Deer Creek to increase the confidence of the negroes in the white people between the election and the 16th of December?—A. No, sir; my idea was that they would be anxious to see a restoration of good feeling, and when the white people suggested to put in a good negro for office, they would see beyond all question that the purpose was not political.

Q. So that this is the fact, that you felt in December, after this affair at Dear Creek, after it was known that there were military organizations in existence, that the negroes would be more likely to select the persons that you and your friends might designate than they would at the time of that convention in the autumn?—A. I undoubtedly thought they would respond at that time in December, and that there was a desire to produce a change of feeling. I am not mistaken about that.

Q. You advised on the 16th of December two of these men to resign?—A. I did not make the request.

Q. You were secretary of the meeting?—A. Yes, sir; I was appointed to that duty.

Q. On the 16th you wanted these two men to resign as supervisors, and on the 1st of January you urged them to go in and take their seats, and promised them protection, or protection was promised them. They were promised protection?—A. That they should not be interfered with.

Q. What happened in that time which led you to change that desire?—A. The only thing was that they saw that Gross had no idea of resigning in the first place, and in the second place that public opinion was very strongly against anything of the kind; and then they knew unless they did qualify or resign, they could not have any election for members of the levee board, which we were anxious to see done.

Q. Could not three elect?—A. There were not three there without Gross and Williams. There was a man named Henry L. Mayer.

Q. He did not appear?—A. I think that there were those two, and it was necessary that one of them should be qualified, in order that an election should take place. But then all purpose to pursue Gross had been abandoned before that, and he was not molested; and he said that he did not intend to resign. The people were at the end of their rope, and had no idea of resorting to violence. So far as I know, they had no idea of doing so; I am satisfied of that fact, because if they had any strength at all, they could have exerted it.

NO JUDICIAL INVESTIGATION OF THE DEER CREEK MASSACRE.

By Mr. CAMERON:

Q. As to the matter of killing these seven negroes at Deer Creek, has there ever been a judicial investigation at all?—A. No, sir; the county was divided before the court was held again. You understand in November it was all Issaquena. Since that time the new county of Sharkey, on the Mississippi, has been made; all that section where those difficulties took place, that is to say, Deer Creek.

GENERAL DESIRE TO LET IT REST—NOT TECHNICALLY JUSTIFIABLE, BUT GENERAL DISPOSITION TO DROP IT.

Q. Has there been no investigation before a magistrate in regard to this killing?—A. I think not. There is a general desire on Deer Creek to let it rest, to drop it. Regarded as a case, and a great many people regard it as a case of mob law, that, of course, was not technically justifiable; but there was a general disposition among the people there to drop it. That is my idea about it. I have only been out there once since, and that was when I went to attend to the business of Derry Brown.

By Mr. McMILLAN:

Q. What time did the law go into effect which divided that county?—A. It took effect before this last court; and a new grand jury had been selected.

Q. About what time?—A. Some time in April.

THE NEGRO JUSTICE OF THE PEACE BEFORE WHOM IT SHOULD HAVE BEEN EXAMINED DID NOT MAKE ANY EFFORT, AND HAS SINCE BECOME A DEMOCRAT.

Q. Then, from the time of the riot on Deer Creek until that time, any examination could have been made in that county?—A. It would naturally have taken place before a justice in the immediate neighborhood. The river front, during that season of the year, from December until April, is rather sickly. There is a good deal of fever in that season of the year, and people go away a good deal. At all events, examinations of that character generally take place before the justices of the peace in the immediate neighborhood. There was a justice of the peace in that immediate neighborhood, but I do not think he ever made any effort. He was a negro, and has since become a democrat.

Q. How was it at the other killing near where these six or seven were killed?—A. Rolling Fork; that was the only occurrence of killing. It was about the same time.

NO INQUEST.

Q. Was there not an inquest held there?—A. I think not. I never heard of any, at least.

Q. At the time Bowie Foreman was reported as disorderly to the court—Judge Shackleford—by the grand jury, how was the grand jury composed in reference to blacks and whites?—A. There were about two blacks to one white man.

Q. And that grand jury reported the disorderly conduct of this man?—A. Yes, sir.

ABOUT DERRY BROWN.

Q. Major Hunt, you say, came from Derry Brown with that power of attorney?—A. No, sir; he came there, and I wrote the power of attorney. They came there together; but Derry Brown staid out of sight while those people from Deer Creek were there.

Q. The power of attorney from Brown to Hunt to transact this business?—A. Yes, sir.

Q. And he authorized Hunt to employ you in regard to the Kehoe matter?—A. Yes, sir; he employed me himself, and authorized Hunt to pay me.

Q. Then, in your collection of Hunt's matter, Hunt paid you for this, did he?—A. Yes, sir.

Q. Did he pay you two fees?—A. He paid me for himself and also for Derry Brown.

Q. He paid you a fee for the matters in regard to settling his affairs after this power of attorney was given?—A. Yes, sir.

Q. He gave you a fee of fifty dollars in the Kehoe matter?—A. Yes, sir.

Q. Did you render any professional services in the Kehoe matter?—A. Yes, sir.

Q. In the first place, I understood you to say that you came to the conclusion to disregard the validity of that proceeding, and proceeded without paying any attention to it?—A. Yes, sir; and without my advice that might not have been done, and, under the Kehoe writ, property might have been sold by the constable to satisfy Kehoe's claim against

Derry Brown; and, therefore, Mr. Hunt, unless released, would have been compelled to have gone to the other property in the field to make his rent.

Q. How much cotton in the gin had Brown?—A. Eleven bales.

Q. How much in the field?—A. It was sold for eight bales.

Q. How many acres of cotton do you suppose there were?—A. I could not tell, but something like fifteen or twenty acres.

Q. How many head of stock had Derry Brown there?—A. I did not see his stock. I understood he had four or five head of cattle; he and his brother or partner.

Q. Then his wife and family left there?—A. I left there, and I supposed they left.

Q. They are not there now?—A. I do not know.

Q. You do not know?—A. No, sir. My impression is that they have gone away. Derry Brown told me they were going away from that county.

Q. You do not know anything about what became of the other property, except this cotton of which you have spoken?—A. No, sir. His family were in the house there, and except this corn and cotton which Mr. Hunt had the disposition of, it was all turned over to these women, and they had the entire control and management of it.

THIS REVEREND COLONEL BALL.

Q. This Colonel Ball, or Reverend Colonel Ball, you have spoken of, when did he come there to reside?—A. He came out to Mayerville about three years ago probably, and he made regular appointments to preach every three weeks.

Q. For how long?—A. He came for about six or eight months. He came out there several times to preach.

Q. Where did he go then?—A. I do not know. He came back there a year ago and got a regular charge there at Rolling Fork.

Q. At what time did he return?—A. I do not know. I did not charge my mind with it; but my impression is it was some time about the beginning of last year—early in last year.

Q. Does he live there now?—A. I have not heard, sir.

Q. Do you know whether he is in Memphis or not?—A. I do not know where he is. I have heard nothing about him for some time.

ABOUT DERRY BROWN'S SPEECHES.

By Mr. McDONALD:

Q. You spoke about Derry Brown's speaking?—A. Yes, sir.

Q. When they were trying to bring about peace in the neighborhood, I did not understand exactly what you said about what he required in order to keep the peace?—A. I understand he told those people he never would consent to disband and quit until he had some six or eight white bodies laid out for the negroes that had been killed.

Q. That was the only thing that would satisfy him?—A. Yes, sir; and I was very much surprised when I heard that. When I went to see these people, to see if Brown could not safely return, I was surprised to find so much feeling against him; and they all said, I heard afterward, that he had been the most malignant one of the whole crowd; and he and his brother had rode down with their horses, I think, and attempted to organize clubs down there.

THE LEVEE DEBT.

Q. You were asked by the chairman what you knew about the levee debt. Do you know when that was contracted?—A. No, sir; I do not know when.

Q. When did you first go there?—A. In January, 1871, and staid there until a month or two ago.

Q. Do you know whether any debt rested upon this county that had been contracted before the war?—A. I do not think the debt contracted before the war had anything to do, on reflection, with this levee board they have up there.

Q. Was this an earlier debt?—A. There was an act of the legislature passed in 1868 providing for the liquidation of all debts contracted on account of levee work prior to 1862.

Q. Was not this debt, which has been reduced down to $400,000, a debt contracted since the war?—A. I think, on reflection, that it must have been. I have no personal knowledge on the subject. But I think that an act of the legislature provided a tax of five cents an acre to pay all levee debts contracted previous to 1862. Therefore, it may be inferred that all debts contracted before that time on account of levee work in that district are covered by bonds with which this levee board has nothing to do.

Q. And this whole debt and its reduction is the work of the present board, organized since the war?—A. I should judge so.

NECESSARY TO DO A GREAT DEAL OF WORK ON THE LEVEES AFTER THE WAR.

By Mr. CAMERON:

Q. You stated, I believe, Mr. Miller, that the levees were very much neglected during the war and in a bad condition at the close of the war?—A. Yes, sir; I imagine so. It must have been so, I think.

Q. In point of fact, it became necessary to do a great deal of work upon the levees?—A. Yes, sir. I will state, so far as a member of the board from Issaquena County is concerned, that I have a kindly regard for him, Judge Jeffries. I had no personal feeling against the members from Issaquena. I do not know whether he is a candidate for re-election this last term, but he has always been a good friend, and I did not seek to do him any injury, because that is entirely a non-political office anyway.

W. W. MOORE—ISSAQUENA (SHARKEY) COUNTY.

JACKSON, MISS., *June* 21, 1876.

W. W. MOORE sworn and examined:

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Sharkey County.

Q. That is the county that was formed of Issaquena?—A. Yes, sir.

Q. How long have you lived there?—A. I have lived there about two years; not permanently, but a greater part of the time.

Q. Have you property there?—A. Yes, sir.

Q. What is your property there?—A. My wife has a plantation there, but my family live in Port Gibson.

Q. Where is this plantation?—A. About twelve miles below Rolling Fork.

Q. Of what place are you a native?—A. A native of this State—Madison County.

THE ROLLING FORK OCCURRENCE.

Q. Two colored men named Derry Brown and Bowie Foreman have

been before us as witnesses, and they testified to the killing of a number of colored men in December last, at Rolling Fork, by a body of armed men: Will you please state whether you were in that part of the county at the time of this occurrence, and just give your own account of what you know of the transaction, and the condition of affairs under which it took place?—A. I was at home, or two miles below Rolling Fork, I suppose, when this occurred. It occurred on Saturday night, and I had occasion to go to Rolling Fork Sunday morning. It seems that on Saturday night there were a number of colored people, who were not, I don't think, any of them residents of the county permanently. I think they had been employed there as cotton-pickers; they were hands—cotton-pickers from Vicksburgh and other parts of the country, who had been paid off Saturday night, and they were drinking and spending their money, I suppose, and all drunk, pretty much—so I understand—and among them was a white man.

HOW IT BEGAN.

This white man was not a native there, and I think perhaps he was from some of the Western States. He had occasion to go into a house where they were, or to be mixed with them in some way, and I am not positive whether he drawed a knife upon one of them or they upon him, but anyhow a difficulty arose among them, and some words passed; and I understand that this man either struck at the man with a knife, or struck him on the hand with a knife, or something to that effect; and he ran out of the house. The negroes pursued him to another store in the town. He went in and closed the door, and went into the back room and put the light out. They went there and demanded admittance, but heard no noise, and nobody answered, and they broke the door open and forced their way in. They were all drunk, I suppose. They found him in a back room; he had secreted himself behind the counter, or somewhere in the back room, the best he could, but they found him, and beat him, and shot him. After he had been beaten considerably, one came in with a pistol and shot him, and they left him for dead.

ARREST OF NEGROES.

When I got to Rolling Fork next morning there was a great deal of excitement about it, and the people had turned out to arrest these men. It seems as soon as they had shot this white man, that they scattered and left the town, and went in different directions; and those, perhaps, who had been cotton-picking went to the places where they were at work, or they went in different parts of the neighborhood, and the people were out the next morning arresting them.

A MAN SHOT ACCIDENTALLY.

They brought in several, and while they were about arresting one fellow he commenced talking to them, and he said that he didn't propose to be arrested. He said this to one or two men who went there to arrest him, and one of them struck him with his pistol, and told him that he had to surrender, or something to that effect. When he struck him with his pistol on the back of the head, the pistol accidentally discharged itself and killed the comrade of the man, who was also along to arrest the negroes. He was shot dead. Well, this created still more excitement. It was accidental, and could not be helped.

In the mean time these men were brought in—these colored men—and placed in an old drug-store, one at a time or two at a time, as they were brought in, and a guard was placed over them—the men who had

been concerned in the riot the night before, and had shot this white man.

Q. Had not that white man been arrested, and was he not under arrest at the time that they fell upon him and beat him in this house?—A. No, sir; I don't think he was; at least, I didn't hear that he was. I have stated it just as I heard it next morning.

After church services I wanted to leave, but was prevailed upon by the citizens to remain there, as they might have trouble; and I staid during the evening and that night.

There was one individual, particularly, a very boisterous fellow, that, when he was brought up, said he didn't propose to be arrested unless black people were put in charge of him. He was not going to allow white folks to guard him. And the matter was discussed at some length, and the man who was deputized by the negro magistrate to do the arresting, and who had authority, I presume, in the matter, said that most too many prisoners had gotten away that way, and he was going to have his own men on guard.

AN ACCIDENTAL SHOT AMONG THE PRISONERS.

Along during the night some time, while the guard was posted, a young man came up to see about it, like they will under such circumstances. He came tearing up there, and I supposed he was a little intoxicated. He walked up on the gallery, and said that he wanted to see who those darkies were—made such a remark as that—and in walking up he staggered against the window. It was a large window in front, and as he staggered he fell over against the window. He had one of those guns with the hammer resting on the nipple on a cap, and struck it against the window some way, very unfortunately. At the same time that he knocked out a pane of glass the gun fired, and those negroes in there concluded that the white men had commenced to shoot them. Of course it was a very natural conclusion for them to come to; that they had got them in there and had just opened fire on them to kill them.

THE PRISONERS RUN—FIRING—MEN WOUNDED.

Q. Did that shot strike anybody?—A. I have no idea that it did, though I don't know where it went; but it was purely accidental; I am satisfied of that. It was a very unfortunate affair, and it caused all the trouble that followed. These fellows broke and ran to the back window.

They just jumped up and ran like a flock of sheep, and bursted right through the window and sash, and as they went out the crowd on the outside commenced firing at them and hollering "Halt!" There was a miscellaneous discharge of small-arms by the guards there, and a horse standing close by was killed, and another wounded, and a white man shot in the side, and another shot in the arm, and two or three negroes wounded, but nobody killed, fortunately.

They all escaped except the wounded ones; there were two or three wounded who could not get away.

As soon as I got out there I learned what the cause of the trouble was. It seems that the young men who were on guard became frightened at the discharge of these guns, and one of them ran off and threw his gun down. They could not tell anything about it; didn't know how it occurred. We got order directly, and found out what the cause of the trouble was.

Those two or three wounded persons were kept there until the next morning, and I had them sent home. I sent for the father of one of them, whom I knew to be a good old man. He said his son, unfortu-

nately, had been drunk the night before and into that riot, and so on; and I put myself to the trouble of sending him word to carry his son away, and I had the others carried to their homes.

I left, then, and went to Mayerville, where I had some business. I thought there would be nothing more of the trouble. In fact, I was in hopes that these colored men who had escaped would leave the county entirely, and that there would be no more trouble. I talked to the people, and advised them to let these colored men alone; that they would get well and stand their trial, and it would come off peaceably and quietly

I was afraid of trouble there between the races. We have always. been very much afraid of that. The negroes outnumber us, so that there is no telling when they might rise.

Q. What is the proportion of blacks and whites?—A. I calculate that from Mr. Elgin's store to the cane-brake we have about nine hundred negroes and forty white people. I was going to say that I went home, that is, to Port Gibson, where my family lived, after I went to Mayerville. I had an urgent letter from home.

I talked with my colored people on the plantation pretty freely, and told them that whisky was at the bottom of it, and that the colored people ought not to attack the white men in that way.

MOSES JOHNSON.

They were peaceable and quiet when I left, but I learned that after I left, there was a colored fellow, formerly on my place, a preacher, who had been constable for a while, and he got to talking with the hands on the place, and said that white men had shot colored men, and he wanted to see something about it, and he continued to talk until he got them up to the sticking-point, and made a speech to them. I was told that; I don't know whether it is the truth, but my own colored peope told me—the old men among them that I have great confidence in. I have reason to believe that if I had been at home it would not have occurred at all; that I could have dissuaded them from anything of the kind at all; but this fellow had his way about these things.

Q. Who was that?—A. Johnson. He was killed.

THE NEGROES START TO AVENGE THEMSELVES.

Q. Moses Johnson?—A. Yes, sir. He drew them out finally, and they determined that they would go to Rolling Fork; and there were some fellows from the lower place that were very bad characters, and that were in the habit of drinking; I suppose they might have been under the influence of whisky at the time.

They declared that they would go to Rolling Fork; and they mustered up all the stock on the place, that is, the mules and the shot-guns and muskets, and started up there; and they said they were going to burn all the gin-houses. The gin-houses are the most valuable buildings that we have in that county. They were talking of burning gin-houses when they started; but they thought that they would put that off until they got back. They talked about the matter there, and said that as they came back they would burn up all the gin-houses after they had done the other work that they had to do.

It seems that between the time of my leaving there and the time of this thing occurring, Mr. Elgin had been sent out to arrest some negro, I think, who had declared that he would not be arrested and would not be placed under bonds—he and another man—and the fellow ran and they shot at him, I think.

The negroes said that Elgin had had a hand in it, and they would go up and kill him first—that was directly on the road; and this young man

who had fired the gun accidentally that night and caused this stampede—they could not be made believe that it was accidental; you could not convince them of anything of the sort—they said they would kill these two white men on the road, and then go to Rolling Fork and kill everybody else until they got a sufficient number killed.

There was a crowd up at Elgin's store, and above there, to meet them.

Q. How many had that crowd grown to when they came up to Elgin's store?—A. Not more than twenty fellows, perhaps.

ENLISTING NEGROES TO SWEEP THE WHOLE COUNTY.

Q. How many were they to meet here and above there?—A. I don't know the number. They were probably from Hunt's place, just above. Noah Parker had been enlisting negroes above there. He had the names, I understood, of several hundred that were ready to join as soon as they started. He had been working every night up and down the creek there, and they were just to sweep the whole county when they got started. Some could not go at all, some were anxious, and some volunteered, and some allowed themselves to be persuaded into it.

They went on up there, and Mr. Elgin met them, and he sent a party on to Rolling Fork, and detained them as much as he could, to let the people know up there that these people were coming, and what they were going to do, and they talked about it a good deal.

WHITE PEOPLE KILL JOHNSON.

Q. Elgin sent up word to the white people, to let them know of the approach of these bands of blacks?—A. Yes, sir; and in the mean time this previous excitement had reached Washington County, where there was a good many white people in the southern part of the county; and in fact there was a great many right there where this difficulty occurred; and the white men were arming and getting ready for them up there, and came down to meet them, and they killed this man Johnson, I suppose.

NOAH PARKER AND WADE HAMPTON KILLED.

Q. This Moses Johnson?—A. Yes, sir; he and Noah Parker were killed, and one white man wounded, and a man by the name of Wade Hampton was killed, when I got back—just as I returned.

BROTHER BROWN TRYING TO RAISE NEGROES TO KILL WHITE PEOPLE.

This man Brown—not Derry Brown, but his brother—had been operating for two days on the lower end of the creek, trying to raise negroes.

Q. To raise them for what?—A. Trying to get them out in order to kill the white men.

Q. What had he done?—A. He rode up and down the creek, back and forth, until his horse dropped dead under him, crying "To arms! to arms!" all the time; "We cannot stand this thing; we have got to kill out the white people in this county;" and so on.

Q. Calling these people to arms for the purpose of killing the white people of the county?—A. Yes, sir.

Q. Was the fact of his going up and down the road made known to the white people?—A. They knew it; they told me about it. I don't say this positively, but I had reason to believeit was true.

Q. They then armed and came down to meet them?—A. Yes, sir.

Q. These black men of whom you speak were killed in that affair?—A. Yes, sir.

DETRY BROWN MADE THREATS.

Q. A colored man by the name of Derry Brown has been here. Who

is he?—A. That is his name. He lives pretty close to me there, and he has been, for a negro, a very good citizen; but, unfortunately, I think Derry rather hates white people, like this man Moses Johnson. I think that the trouble with Derry more than anything else was that he didn't like white people well. He minds his own business generally, but he was very much enlisted against the white people in this matter.

Q. Did he make any threats there?—A. So I am told; that he made threats and talked about what he would do.

Q. What did he say he would do?—A. The white people sent for him, he being on the lower part of the creek, in order to try and make the matter up and arrange things. He was opposed to going up there.

DERRY'S IDEA OF ARRANGING THE DIFFICULTIES.

He said that he would not be satisfied until they killed as many white men as colored men had been killed, and when the same number of white men were shot as colored men had been shot he would be willing to arrange it, and would not otherwise. That was about the remark.

ABOUT BOWIE FOREMAN.

Q. What part had Bowie Foreman in this transaction?—A. He was a sort of negative character. I don't know that he took an active part in it. I don't recollect of his having done anything much.

Q. What is his character?—A. A drinking, trifling sort of a negro; a negro of no character, or not much, any way. He had been a negro that had had a great deal to do in politics, but he killed himself, even among his brethren; they lost confidence in him, as he drank too much.

Q. Did Bowie make any speech at Watson's?—A. No, sir; Bowie didn't that I know of.

THE TWO BROWNS.

Q. Did Derry Brown?—A. Derry Brown said a good deal there, so I was told.

Q. Of a threatening character?—A. Yes, sir. Watson was very much afraid of them. I know that from what he said. He was dodging all the time there. Watson was sort of between fires there—between the white people above and the negroes below—and the negroes were not disposed to give up for a day or two; and this man Brown, I understand, was at the head of them.

Q. Which Brown?—A. Derry; and he had Charley, his brother, trying to recruit them.

NUMBER OF BLACKS ASSEMBLED TO KILL THE WHITES.

Q. What number of blacks do you suppose those people got together for the purpose of killing the white people of that community?—A. I don't suppose when they started from my place there was over twenty to thirty that were actually mounted and armed; and those from Hunt's place, I don't know how many there were; and I don't know how far they got. They were on the opposite side of the creek.

Q. What was the whole number of negroes collected when the whites got together and came down upon them?—A. I don't know.

FATE OF THE BLACK MEN.

Q. Do you know anything more of the fate of those black men that were killed than that they were killed in this conflict that you have described by those white men that were armed coming down upon the negroes collected there?—A. No, sir.

NO GIN-HOUSES FIRED.

Q. Were there any gin-houses set fire to at that time?—A. No, sir.

REV. MR. BALL.

Q. Do you know Rev. Mr. Ball in that country?—A. Yes, sir.

Q. Who is he?—A. Mr. Ball is a Baptist preacher, an aged man, and considered a very good man.

Q. Was he at the head of this organization of whites?—A. Yes, sir; so I was told. I don't know anything only from hearsay.

WHITES PREVIOUSLY ORGANIZED FOR DEFENSE AND PROTECTION.

Q. Had these white people any organization of any standing as to time, or was it a body of men especially collected together to resist this approach of the blacks?—A. Well, there had been a kind of an organization there previous to that.

Q. What did that consist of, and who were in it?—A. It was understood there that the white people, in case of an emergency, which had been threatened there for some time, would come together for their mutual defense and protection. They had been organized for that purpose.

Q. Was there much apprehension that such a combination would be needed?—A. Well, no, sir; at the time it occurred, I didn't think there was. I was connected with the organization there, but I didn't dream of any such thing.

Q. Did you ever turn out?—A. Never, except then.

Q. Was there ever a time when they met and drilled and got ready to go?—A. No, sir.

Q. Was there more than an agreement that they would come together for mutual defense?—A. That was just what it amounted to. It was agreed upon that they would consider themselves organized; that is, they would come together in case of any trouble of that kind, as they anticipated trouble to arise sooner or later.

Q. Had there been apprehensions through that county of this race quarrel?—A. Yes, sir; the people were expecting something of that kind, and things had grown serious there in that way.

BOWIE FOREMAN AS CORONER.

Q. Have you any knowledge whether Bowie Foreman was appointed to hold an inquest upon the bodies of the blacks who were killed?—A. Not that I know of.

Q. Did you ever hear of his being so employed?—A. No, sir.

By Mr. McDONALD:

Q. Was Foreman a man likely to be appointed to such a place as that, as a coroner to hold an inquest?—A. Well, I think possibly he may have been; yes, sir.

Q. Was he a man of that kind of position and intelligence, even among the colored people?—A. Well, there intelligence was not necessary for anything of that kind. Bowie Foreman is one of that kind of negroes; he would push himself forward at all times and under all circumstances. He had been constable there—acted as constable—and whenever he got hold of people's money, that was the last of it, as I understand. He was sort of a reckless character, not even a respectable sort of a negro at all; but I don't know why he should not be appointed to almost anything in the county.

Q. Was he a temperate or intemperate man in his habits?—A. He was intemperate.

Q. Was this place where the difficulty occurred between the white man and the negro at Mr. Elgin's store?—A. Where it originated was at Rolling Fork.

DIFFICULTY BEGAN AT ROLLING FORK.

Q. How far is Elgin's store from Rolling Fork?—A. About eight or nine miles below Rolling Fork, which was where the difficulty arose; this whisky drinking, and so on; this fight when the white man was shot. All that occurred at Rolling Fork.

Q. You say it was on Sunday morning that you first knew of these troubles there: what time did you leave the county?—A. I went to Rolling Fork on Sunday and remained there until Monday evening, until I thought that we would have no more trouble. I sent these wounded parties away from town in order that there might not be any more trouble; got them out to their homes; and I went to Mayerville Monday evening; got over there about Wednesday, perhaps, and returned to my place on Deer Creek, not by way of Rolling Fork, but by way of Tallula.

Q. How long were you gone from your place and from that neighborhood?—A. I suppose I was gone a week or ten days. I had a letter at home when I reached there calling me to Port Gibson, or rather to Jefferson County, where I have business, and I left.

Q. During that week that you were gone these further troubles occurred?—A. Yes, sir; these further troubles occurred, the most of them. They were just beginning to be quiet when I got back.

DERRY BROWN, BROTHER BROWN, MOSES JOHNSON, BOWIE FOREMAN.

Q. You spoke about Derry Brown and his brother rallying the negroes: what efforts do you understand his brother made?—A. I inquired very particularly about that. This is hearsay, and it possibly might not be true; but I inquired particularly, and I was told that he galloped up and down the creek, down below my place, until his horse dropped dead under him.

Q. How many negro hands, men, had you on your place?—A. I had between forty-five and fifty hands; I don't recollect, but a reasonable proportion of them men.

Q. How many of them started to Rolling Fork under the direction or control or command of this Moses Johnson?—A. The biggest part of them.

Q. Did you hear or know anything about Bowie Foreman being discharged from the grand jury?—A. I know from hearsay. I was told by a member of the grand jury that he was on the grand jury, and Judge Shackleford had him discharged and sent away, on account of drunkenness and bad behavior in the grand jurors' room.

THE PROTECTIVE ORGANIZATION.

By the CHAIRMAN:

Q. When was this organization formed for the protection of the people of Rolling Fork?—A. I cannot tell positively.

Q. You were a member of it?—A. Yes, sir. It was some time before this trouble, though. I do not recollect of their ever assembling. I do not remember that they ever were assembled.

Q. At the time that it was formed, you had no reason to believe that there was a necessity for it, and you rather advised against it?—A. Yes, sir; I advised against it. I thought it ought not to be; that there was no need for it, and we could get along without it.

Q. Do you think it was in September, October, or November that it was organized?—A. I have very little idea; some time in the fall.

Q. But there was nothing occurring then that you knew of that threatened danger?—A. No, sir; I did not want to organize.

Q. Everything looked very well then?—A. Yes, sir; in fact, I wanted

to avoid anything. I am a peace man, and I wanted to avoid even the appearance of evil if possible.

Q. You thought it was, perhaps, more likely to promote trouble than to prevent it?—A. Yes, sir, I did, and I expressed myself that way; but, if you will allow me to state further, I had reason to be glad that there was an organization.

Q. That is when this thing took place?—A. Yes, sir.

Q. What sort of arms were purchased for that organization?—A. No arms at all.

Q. Did you supply yourself with any?—A. No, sir.

Q. Had you any arms?—A. Nothing in the world during the whole trouble there.

Q. On what day of the week did this last killing take place?—A. I don't know, sir; I could not tell you that.

Q. You were not there?—A. I was not in the county, and all I know in regard to it was rumor.

WHERE THE MEN WERE KILLED.

Q. Can you tell exactly where those men were killed? As I understand, it was between Elgin's store and Rolling Fork.—A. There were some killed, I understand, between Hunt's and Elgin's store.

Q. How far was that from Rolling Fork?—A. I suppose about ten miles.

ELGIN THE FIRST WHITE TO BE KILLED.

Q. As I understand you, when Moses Johnson was rallying the men he proposed to kill Elgin first?—A. Yes, sir.

Q. Who was the next man?—A. Hunt.

Q. Was Hunt the man who owned the plantation there?—A. No, sir; Hunt was a man in the merchandising business there.

Q. Was he the young man who fired the gun?—A. He was the young man that fell against the window and caused the gun to be discharged.

Q. As I understand you, they met at Elgin's place. Was Elgin alone as regards having any associates, or white men, there at that time?—A. Hunt was there, and there was a man in the house or about there. I was told there were one or two men there.

TWENTY OR THIRTY NEGROES ARMED AT ELGIN'S.

Q. How many of the negroes were assembled at Elgin's at the time of this interview?—A. I don't know positively, but I think about twenty or thirty.

Q. They were armed probably?—A. Yes, sir; I believe they were all armed.

ELGIN IN THEIR POWER AND NOT HURT.

Q. Then, as a matter of fact, at that time they had Elgin and Hunt in their power; there were only these two or three white men there, and there were twenty-five or thirty of the negroes?—A. Yes, sir.

Q. They did not inflict any injury upon Elgin at that time, or upon Hunt?—A. No, sir; they did not, for the reason that Elgin held them at bay, and told them that they should not advance until they said that they would not hurt him—that he would fire on them.

Q. Yet still the force was rather large for any one man; he was rather in their power, and they could have injured him if they had chosen to do so?—A. If they had not been afraid, they would have done it.

Q. You think that they had not quite as much courage as when Johnson was speaking to them on your plantation?—A. No, sir; Elgin is a very determined man.

Q. Where were you at that time?—A. I suppose I was in Jefferson County or Claiborne County. After I had left, all this thing occurred.

LOCALITY OF THE KILLING.

Q. How far from your place was it that the killing actually occurred?—A. Do you mean the parties that were killed between Hunt's and Elgin's?

Q. Yes, sir; how far from where they met Elgin?—A. I think perhaps a mile from Elgin's to where they were reported to have been killed.

Q. On the way toward your plantation?—A. No, sir; the other way.

Q. Then they were returning from Rolling Fork?—A. No, sir; this occurred still afterward; this was all done on the part of Washington County people. Elgin was not directly engaged in the killing.

Q. No, but I understand Johnson rallied a force on your plantation, and there was another man that you spoke of as riding his horse to death—Charlie Brown—and they went toward Rolling Fork, and they saw Elgin and John Hunt, and they had an interview with them. Then what happened?—A. They turned and went back home.

Q. That is, the negroes did?—A. Yes, sir; from there I suppose they went back home; they went back down the road from there. I don't know positively whether they went home or went to Hunt's. I don't remember exactly, but they went back down the road, and those Washington County men came and invited them up to fight.

Q. Who headed the Washington County men?—A. I suppose—I don't know that positively; I know Mr. Ball was in charge.

Q. He was at the head of them?—A. But he was not a Washington County man; he was an Issaquena County man.

Q. Now, then, the engagement, or whatever it was, in which Moses Johnson and the others were killed took place between Elgin's and your plantation, and after Moses Johnson, Derry Brown, and the others had been at Elgin's and were on their way back toward your plantation?—A. I don't know whether it occurred on their way back or two or three days afterward. I don't know exactly when it was.

Q. As a matter of fact, they did go any further toward Rolling Fork than Elgin's?—A. Not that I know of.

Q. And the killing, when it took place, was nearer your plantation than Elgin's was?—A. No, sir; not nearer, but it was below Elgin's store.

Q. Your home is in Claiborne County, Port Gibson?—A. My home is in Sharkey County; my family live in Port Gibson. I have my family there on account of the children going to school.

Q. How long have you owned a plantation in Issaquena or Sharkey County?—A. Two years.

Q. Were you acquainted with the negroes there before that time?—A. No, sir; not before I went there to live, particularly; I knew some of them.

Q. With the exception of this affair that you have been speaking of, has there been any movement among the negroes hostile to the whites?—A. I don't remember of anything like an armed demonstration.

DOES NOT APPREHEND WAR OF RACES NOW.

Q. You have apprehended, and still apprehend, what is called a war of races?—A. I do not there now.

Q. You do not now?—A. I don't think they will try it any more.

Q. What has given you the confidence now that you did not have six months ago?—A. I think they are satisfied that the white people won't stand it; that they will attack and whip them out when it comes to a fight.

Q. So that really now you feel at ease?—A. Yes, sir; much more so than ever I have since the war.

Q. What has brought about this change in the feelings and purposes of the black people, as you understand it?—A. I think the dread of having their heads shot off in a fight more than anything else.

Q. What has given them that dread?—A. The fact that they know the white people are ready to fight them, and are willing when the time comes.

Q. What have the white people done that has led the negroes to that conclusion?—A. I suppose the fact that they were ready to meet them in that trouble and dispersed them; showed that they were prepared for them in case of trouble.

NEVER HEARD THAT JOHNSON ATTACKED ANYBODY.

Q. Do you know whether Johnson and his followers made an attack upon anybody?—A. No, sir, I do not.

Q. Did not hear anything of that sort?—A. I did not.

Q. What, then, do you suppose led to the killing of Johnson at the time he was killed; what happened? This other transaction, the shooting of the men at the store, had occurred some days before, and you stated that things had quieted down when you left the county.—A. The excitement right around town had passed off—about Rolling Fork; that is, the local excitement there; but this spirit of revenge I suppose was growing in the county among the negroes: a disposition to go and see about this thing, and raise a difficulty about it. I suppose that was increasing all the time afterward.

Q. As a matter of fact, the negroes had not gone to Rolling Fork?—A. No, sir.

WHY THEY WERE KILLED.

Q. Within nine miles was about as near as they had been to Rolling Fork; and, although they had met Mr. Elgin and Mr. Hunt, they had not injured them at all, and had not made any demonstration upon them at all; and as a matter of fact had gone home and had not advanced on Rolling Fork at all. What do you suppose was the real cause of their being killed?—A. I suppose it was on account of what they had already done and what they were trying to do to raise men.

Q. There were some apprehensions that at some time they might make an attack?—A. I suppose there were. It was rumored that this Charlie Brown was attempting to raise men to make an attack upon the white people of Rolling Fork.

Q. But he was not killed?—A. He escaped, he kept out of the way.

Q. Had Moses Johnson been on your plantation all the while you have occupied it?—A. No, sir; he had only lived there one year.

MOSES JOHNSON'S POLITICAL OPINIONS.

Q. What was his reputation?—A. It is this: he was constable in his beat, and, while he was always very respectful to me, and I never had any trouble with him, I knew his peculiar political notions, and was watching him rather closely.

I saw him at a republican meeting where the negroes were speaking. There was an old negro got up and made a speech, and said he was tired of this thing of foreigners ruling the country, and he thought they ought to elect some of their own white people and some of their colored people, and make up a ticket. He mentioned the names of two or three white people just in that connection; and Moses Johnson says, "We have heard enough of him; let's get him down; he has got no business up there; he wants the white people to rule the country; get him down; kick him out!"

I don't know that those were the words positively, but he cried him down. Moses Johnson did not believe in white folks having anything to do in that way at all. I suppose he was honest in his belief, but at the same time I did not admire his political opinions.

Q. Was he a man of some intelligence?—A. Well, he could read and write.

Q. Was he a preacher among the negroes?—A. Yes, sir; he was a preacher; he would preach to them, and fight them, too, and do anything else; a jack-of-all-trades among them.

Q. Rev. Mr. Ball did the same?—A. Yes, sir.

THE WITNESS ON HIS OWN PLANTATION.

By Mr. CAMERON:

Q. Where did you remain on the Saturday night prior to the Sunday you have mentioned?—A. I was at home, sir; I left home Sunday morning.

Q. How many white people were on your plantation at that time?—A. There was one white man, if I remember right.

Q. Besides yourself?—A. Yes, sir.

Q. And how many colored men?—A. I had about forty or fifty hands; I don't know exactly how many men there were among them. I have never made a calculation as to the number accurately.

Q. Did you have any arms at that time?—A. I had at home a shot-gun; no other arms.

Q. Did this white man with you have any arms?—A. No, sir; I don't think he ever owned a gun in his life.

Q. So the only arms on the plantation at that time was one shot-gun?—A. Yes, sir.

Q. Do you know whether the negroes on your plantation had any arms at that time?—A. They had, perhaps, some old shot-guns or old muskets; a good many of them bought muskets at the close of the war for game purposes; most of them had that kind of weapon.

Q. What time did you leave home on that morning?—A. I left home, I suppose, about 8 o'clock.

Q. Well, where did you go?—A. I went to Mr. Watson's place.

Q. How far is that from your place?—A. That is about two miles from my place. I went there, and went with Mrs. Watson and another lady to church; went down there for the purpose of going with them to church.

HIS PERSONAL KNOWLEDGE OF THESE TRANSACTIONS.

Q. State what personal knowledge you have of any of these transactions; not what you have heard, but all that you have seen yourself.—A. Well, sir, I will state exactly what I saw. I went to Rolling Fork, and I saw a man there with a pistol in his hand——

Q. Who was that man?—A. That man's name was Barrow. He was a white man, guarding what negroes had been arrested who had done this shooting of the white man at the Forks. I inquired about what it meant, and so on, and was told by some one. I went on to church, and attended church-service. They were so fortunate as to have an Episcopal minister, which we did not often have, and I was very anxious to go to church.

After I came out of church, I saw this same man guarding the house. I remained there during the day, and saw a prisoner brought in occasionally. I cannot remember now exactly how many.

Q. All colored men?—A. All colored men; for they were all colored engaged in this. I was asked to remain there, which I did reluctantly.

Q. Who asked you to remain?—A. I think Mr. Lloyd Rogan; I am pretty sure that he was the individual who asked me to remain. I went to Colonel Brown's, took some supper with him, and came back to town, and went into a house adjoining the house where these prisoners were kept, and I saw a good many gentlemen there. I talked with them on a good many subjects, and, in the mean time, this firing began. We rushed out of the house, and I saw a man who was shot.

Q. Who was the man who was shot?—A. I think his name was Dutcher or Deitzer; he was a Jew from above. I saw a horse that was shot, groaning on the ground. I do not remember anything else, particularly, except that I saw a general confusion after that.

The next morning I went after breakfast—I think I went up and took breakfast with Colonel Brown, and came back and went to see those wounded men there. There were two or three, I am not positive which.

Q. Colored men?—A. Yes, sir. I asked an old negro there who they were, and I think he told me that he knew the father of one, and that the other lived there in that neighborhood. I asked Dr. Goodman to take charge of them, and he said he would do it. I asked him to examine their wounds, and saw that he did that. I had them sent away.

Q. Were they gun-shot wounds?—A. Yes, sir. I left there about noon, I think. I had the horse hauled away that was dead on the street.

Q. Is that all you know?—A. That is about all that I can think of, sir, that I saw, that would be of any importance.

WHO SAID THE GUN WAS ACCIDENTALLY DISCHARGED.

Q. Who informed you that the gun of this man was accidentally discharged?—A. I think one Mr. Groome, who was right near me, told me so.

Q. Mr. Groome was a white man, was he?—A. Yes, sir.

ABOUT CORONER'S INQUEST.

Q. Do you know from personal knowledge, or are you satisfied from reliable information, that no coroner's inquest was held upon the bodies of these men who were killed there at that time?—A. I do not.

Q. Have you ever heard that any was held?—A. I don't think that I ever heard it mentioned until in this room.

Q. Are you satisfied that none was held?—A. No, sir; I am not satisfied any way about it, because I don't know; I never heard of it before.

DID NOT TELL THAT NEGROES WENT TO KILL ELGIN AND HUNT.

Q. On what day do you understand that the negroes went to the store of Elgin & Hunt with the avowed purpose of killing them?—A. I could not tell you that.

Q. What day of the week?—A. I don't know the day.

DON'T KNOW HOW LONG AFTER THAT THESE MEN WERE KILLED.

Q. How long after that before these six men were killed?—A. I don't know that, either.

Q. Was it the same day or week?—A. I don't know; I could not tell you; all this occurred during my absence. There is a strong belief in my mind now in regard to it; I have an impression, but it may not be entirely correct.

Q. What is your impression as to the time when it occurred?—A. I don't know that I have any impression in regard to that particular thing. I meant that I had an impression as to the whole matter, which was made on my mind then, which was much more definite than it is now.

DON'T KNOW THAT THEY WERE KILLED IN CONFLICT.

Q. Senator Bayard asked you if those men were not killed in an actual conflict?—A. Well, I don't know.

Q. You answered that they were: what do you know about that?—A. They were killed in this trouble; whether they actually had arms, and were in a direct fight or not, I could not say, because I don't know.

Q. All the information you have in regard to that has been derived from others?—A. Yes, sir; from different sources—from colored people and from white people and all.

CAN NEVER BE BROUGHT BEFORE THE GRAND JURY.

Q. Do you know whether or not this killing has ever been investigated before the grand jury of the county?—A. If it has I have never heard of it.

Q. Have you ever been subpœnaed before the grand jury in regard to it?—A. No, sir.

W. D. BROWN—ISSAQUENA (SHARKEY) COUNTY.

JACKSON, MISS., *June* 22, 1876.

PERSONAL STATEMENT.

W. D. BROWN sworn and examined.

By Mr. BAYARD:

Question. Where do you reside?—Answer. I reside at Rolling Fork, Sharkey County.

Q. Sharkey is a new county carved out of Issaquena?—A. Yes, sir; carved out of Issaquena, Washington, and a small portion of Warren.

Q. How long have you resided there?—A. I have resided there ever since I was quite a young man—seventeen years, now in the 18th year of my residence at this place.

Q. You resided there in last December?—A. Yes, sir.

Q. What is your occupation?—A. I am engaged in planting; I am also an attorney at law.

THE ROLLING FORK MASSACRE.

Q. We have had before us some witnesses, colored men, from that part of the country, who have detailed the facts of the killing of six or seven colored men there in December last; one of them was named, I believe, Moses Johnson, a negro preacher; and it is in regard to that affair I suppose you have come to testify. Will you be kind enough in your own way to state the condition of affairs, and the circumstances attending that transaction; the state of affairs in the county, and what happened?—A. Do you wish me to go back in my statement to the condition of affairs preceding this occurrence, or to commence at the time of the occurrence?

Q. As I am entirely uninformed as to what your knowledge is, sir, I do not know exactly what to say. The cognizance of the committee is directed to affairs during the election of 1875, and the facts attending that canvass. Perhaps it will be as well if you state what that was, and what occurred then, as you know about it.—A. The trouble referred to occurred, of course, subsequent to that time.

Q. Were you there during the canvass of 1875?—A. I was there continuously.

Q. You took part in the election?—A. To the extent of voting. I made one or two speeches to the colored people.

Q. With which party were you connected?—A. I voted with the democratic party.

THE CANVASS WAS PERFECTLY PEACEFUL.

Q. What was the general character of the canvass as to peace, quiet, and order?—A. The canvass was perfectly peaceful, perfectly orderly, to my certain knowledge, in my section of the county. I heard nothing to the contrary in other parts of the county. There was the fullest freedom of opinion and expression, and if you desire me to state the facts, I now have in my mind a fact that shows that state of things to have existed.

BLACKS ATTEND THE DEMOCRATIC MEETINGS.

I recollect that during the canvass quite a large meeting was held as a democratic meeting, and the parties had information that the democrats were going to attempt to convert the negro people of the country to that party, and to convince them that their interests were identical with those of the whites, and to bring them to vote with us.

I myself was called upon to speak on that occasion, and did so, and quite a number of others.

A large number of colored people were there and the utmost good feeling prevailed; and before the meeting was closed, I think, there were three or four colored men, republicans, made speeches.

In those speeches the utmost liberty and freedom was manifest; and I may go further and say that even some rather violent expressions were made use of by one, particularly, of the colored speakers, the then sheriff of the county, Mr. Scott.

NO EFFORT TO TRAMMEL FREEDOM OF SPEECH.

He made quite an ultra speech, declaring himself to be a republican. And every other speaker on that occasion was treated with the utmost courtesy and consideration.

I never have seen anything, and in fact I know of my own personal knowledge, that there has been no effort to trammel freedom of speech; and, to illustrate the extent of that freedom, I will now quote a single expression made use of by one of those illiterate, untutored colored men that made a speech on that occasion.

There was a large crowd of colored people present, and a large crowd of whites also, but the latter were decidedly in the minority. He said, "You have your feet upon the necks of the democrats, and keep them th re." There was no objection to that expression; no resentment on the part of the democrats when that was uttered. I merely refer to that as an illustration of the freedom of speech.

Q. How long was that before the election?—A. That, I think, was about two or three weeks prior to the election; the exact time I cannot state.

Q. Were you there on the day of the election?—A. I was.

THE ELECTION WAS PEACEABLE AND ORDERLY.

Q. What was the character of the election?—A. The election was as peaceable and orderly as ever was had in the county since my residence there.

Q. What was the result of it?—A. The result was largely republican.

Q. Were all the county officers elected republicans?—A. Our sheriff was a republican, our clerk and all the county officers were republican; not a single democrat that I now recollect of.

COUNTY OFFICERS NEARLY ALL NEGROES.

Q How many of those were negroes?—A. They were almost universally negroes. The sheriff was a colored man, our clerk is a white man, a republican. I believe that the assessor is a white man; the magistrates are colored; and I in fact cannot recollect of but one white person elected at that time——

Q. Who is your county treasurer?—A. Of the old county, do you mean?

Q. Yes, sir; the one elected in 1875?—A. The county treasurer is David Mayer.

Q. White or black?—A. A white man.

NO INTIMIDATION OR VIOLENCE AT THE POLLS.

Q. State whether or not there was any violence or intimidation exhibited at the polls or during the canvass to your knowledge?—A. None whatever that I am aware of. I in fact never heard of it and never saw anything of it. I am confident that nothing of the kind was ever made use of.

Q. What was the number of the blacks as compared to the whites where you live?—A. I shall have to speak very generally and without data, and cannot justify anything like an attempt at accuracy, for the reason that we have had no enumeration for the last several years that could be relied upon. I don't know that I would come very close to it, but I should say, giving an approximate estimate—do you refer to the aggregate population, or just the voting population?

PROPORTION OF THE RACES.

Q. You may give either.—A. The ratio of the aggregate population a few years ago, I think, was about twelve or thirteen to one; that is my recollection. That proportion has decreased within the last two or three years on account of the immigration of the whites to the bottom district.

ABOUT THE KILLING OF THE NEGROES AT ROLLING FORK.

Q. Now passing from that to the trouble that took place in December, give to this committee a history of that.—A. The history of that trouble, sir, in brief is this:

On the night of the 20th of November, perhaps somewhere near the hour of midnight, some trouble or difficulty arose between a colored man and a white man, or hardly a man—you may call him a boy—at the town of Rolling Fork; blows ensued, and the colored man cursed the white man, calling him some very ugly names, and thereupon he struck the colored man with a knife.

IT WAS A DRUNKEN ROW.

Q. Had the parties been drinking?—A. It was a drunken row. I was not in it, but it was a notorious fact that it was a drunken row.

The boy, knowing that he was likely to be overpowered, immediately fled and concealed himself in the back room of a store. The negroes gathered a mob of about forty or fifty persons and went to the store, broke open the doors—knocked out the lights, the glass—and went into the back room and shot the boy, and brutally beat him with a large iron rod; or attempted to do it, but other objects in the room caught the blows; and they left thinking they had killed him, but they had not. And they called on a colored magistrate there in the town——

Q. Give his name.—A. Harrison Smith, a justice of the peace at that time.

NEGROES ARRESTED.

Q. He was a colored man?—A. He was a colored man. He issued warrants for the arrest of these negroes, and in the course of the night and quite early the following morning they had arrested them to the number of twelve or fourteen.

Q. I understand that the number that took part in this attack upon the boy was forty or fifty, and then that some twelve or fourteen were arrested in the course of the night?—A. Yes, sir, as the prime actors in the trouble; and early the following morning they were lodged in an old store down there and put under a white guard, and kept under that guard during the day.

NEGRO MAGISTRATE APPOINTS A WHITE GUARD FOR THE PRISONERS.

On the following night, or rather during the day, Sunday, there was an evident disposition to create some stir on the part of turbulent characters—colored men.

The idea of a crowd of colored people being guarded by white people was something like a novelty in the history of that neighborhood. But this occurrence had excited such a feeling of indignation that the whites asked the magistrate to appoint them to guard the prisoners, and he did it.

There was an effort made by certain prominent negroes to induce the magistrate to discharge the white guard and place colored people over them, or at any rate to divide the guard—make part black and part white. He did not do it.

BITTER FEELING BETWEEN WHITES AND NEGROES.

The feeling was very bitter, and there were apprehensions that a riot would take place on that day; but, fortunately, none did take place.

In the course of the night, perhaps about the hour of 12 o'clock, there was an alarm raised, and in a short while there was a considerable amount of shooting.

SHOOTING BEGINS—SOME OF THE PRISONERS ESCAPE.

I was lying on the counter of a store in company with a large number of gentlemen, perhaps 20 to 25 white men. I was dozing, and I was suddenly aroused by a noise which I supposed at that time to be the noise of a large number of horses rushing over the bridge near by. Immediately following that, I heard a crashing of windows and sash, &c., or a crashing noise, which I afterward found to have been caused by the breaking of windows, sashes, &c. About the same time I heard the firing commence; and the result of that shooting was that a couple of the colored men that were confined were slightly wounded; one of the white citizens was also wounded pretty severely, and all the prisoners escaped except four that night.

On the following day the magistrate was to have had a preliminary examination, but the feeling became very bitter on the part of the colored people, and a number of citizens, I among the number, apprehended violence.

RIOTERS RELEASED ON BAIL.

I persuaded the magistrate, in company with one or two others, to guard against the trouble by putting those parties under bonds for their appearance before the ensuing term of the circuit court, and he did so.

Q. These black men?—A. Yes, sir; these rioters; they were released.

Q. Who went their bail?—A. A few colored men were bondsmen on some of the bonds, and two or three white citizens were bondsmen on others. The bonds were all worthless, I think, but one, maybe two, exceptions. It was resorted to as an expedient to guard against trouble.

THE WHOLE COUNTY EXCITED.

Following this occurrence the air was full of rumors for about a week or ten days, I think, that the negroes were arming in the neighborhood below us for the purpose of attacking the town. I am speaking now—I cannot give you anything but rumor upon this point. The whole country was excited and very much agitated.

Q. To what effect were these rumors?—A. They were to the effect that the colored people had declared their purpose to take and burn the town, burn the gin-houses, and kill the people indiscriminately. I myself did not take the trouble to trace the rumors, but other citizens, some of whom I suppose are here, both colored and white, can give you better information upon that point than I can.

THE TRAGEDY CULMINATES AT ROLLING FORK.

The public were very much excited by those rumors—the whole country; women and children were sleepless for weeks, for night after night; and the final culmination of the tragedy was reached, I think, in about two weeks from the first outbreak at the town of Rolling Fork.

COLORED MEN KILLED—"NO ONE KNOWS WHO DID THE KILLING."

I am satisfied that five or six, or may be seven—I would not be able to give you the exact number, but several colored men were killed. There, is no question on that point. I never saw them; I only heard they were killed, and I have never seen the man yet who knows who did the killing, though the fact that they were killed is beyond question. I take that as a fact of general notoriety.

Q. Have the negroes banded there in any force?—A. Well, sir, they were gathered in the neighborhood below, as other witnesses will show, and in one or two instances parties had started up from about eight or ten miles, I think, below the town, toward the town, in open daylight, for the purpose of carrying into execution their threats; and that armed demonstration just brought the thing to a head.

NEGROES REPORTED BANDED AND ARMED.

Q. Have you any idea of the numbers of the negroes that were massed in these different organizations?—A. Our information was that on one particular plantation, or rather series of plantations, known as the Hill plantations, in the lower part of the county, there were three organizations, I think, aggregating 180.

Q. They were understood to be armed?—A. They were understood to be armed; and, if I can give matters of hearsay—rumor—this information as to their intent of an attack upon the town of Rolling Fork came, a large part of it, from them; and in one instance I got it directly from a colored man himself. The colored man disclosed what he stated to be a conspiracy to that effect.

WHITE PEOPLE AFRAID OF AN ATTACK.

Q. Were the white people of that community firmly impressed with the belief that their town was to be attacked and fired?—A. I can speak for myself, and judging of others' impressions by their conduct, the oldest and most steady citizens of the county, as well as the young, felt that apprehension so distinctly impressed upon them that almost to a man, without an exception, they united together and stood watching that village night after night from the time of these rumors becoming prevalent until the culmination of this affair—sleepless.

ABOUT DERRY BROWN.

Q. Do you know a man by the name of Derry Brown?—A. I know him very well.

Q. What part did he take in getting up these negro organizations?—A. I am only prepared to speak of his participation in the matter from the report of others, who will appear before you, and who can give you the facts more fully. He was regarded as a very bad character, and was represented to have taken a very active part in those organizations.

THREATS MADE BY DERRY BROWN.

Q. Did you hear of any threats made by him?—A. I heard of them. but I did not hear them myself—very violent threats to that effect These threats, however, I think, perhaps, were subsequent to the culmination of these troubles, most of them, at least on the part of Derry and Charles Brown.

ABOUT CHARLES BROWN.

Q. Who was Charles Brown?—A. A brother of Derry, who interested himself in getting up these organizations prior to the culmination of this trouble.

Q. Do you mean the armed organizations of negroes?—A. Yes, sir.

Q. And for what purpose?—A. Well, sir, we could only judge their purpose by the result; but I am giving you now the matter of report exclusively.

RUMOR OF NEGROES ARMING TO KILL THE WHITES.

After that first riot at Rolling Fork the rumor reached us that they were arming for the purpose of attacking Rolling Fork, killing the whites, and burning and destroying the property generally.

ALL THE WHITES ARRAYED.

Q. What citizens were those who arrayed themselves in opposition to this?—A. As I stated a while ago, the white citizens universally; I think I can say universally; I don't think there was an exception.

Q. It resulted in the killing of—— A. I am satisfied that several men were killed. Two or three prominent characters, or conspicuous characters, in my own neighborhood I have never seen since. I heard that they were killed, and I am satisfied that they were killed.

ONE WHITE MAN ACCIDENTALLY KILLED.

Q. Were there any white men killed or injured before this killing of the six black men?—A. There was one white man accidentally killed at the time of this occurrence or on the following morning—the occurrence on Saturday night; that is, on the Sunday morning after the riot of Saturday night there was a white man accidentally killed by one of the citizens; the accidental discharge, I think—I did not see that, I merely heard that—of his pistol, in the town. I do not recollect of any other white person being killed; none at all, I think, in connection with the trouble.

Q. Proceed as to the matter.—A. These troubles had kept the country in agitation for, I think, about two weeks.

A day or two after the reported killing of these colored men, a number of the citizens, and I belive I am one of the class, instituted this committee, what is known as the "Peace Meeting;" and quite a large number of the orderly, good colored people from the different parts of the county in which these disturbances took place, from Rolling Fork on down to the southern limit of the county, consented to the peace meeting and went into it.

NEGROES ATTEND A PEACE MEETING.

We appointed several white citizens from our neighborhood, and they went into it.

They held a consultation in that meeting, and these good colored people expressed their hearty condemnation of the conduct of certain turbulent characters, many of whom were named in the meeting, and expressed their purpose to drive them out of the country, or to arrest them and punish them, or deliver them up to the white people to be dealt with summarily, as the civil authorities were utterly powerless.

THE NEGROES ADMIT SOME OF THEIR RACE BROUGHT ON THE CONFLICT.

Q. Did these colored people recognize the fact that these negroes had produced this conflict?—A. Yes, sir; that was an admitted fact in the meeting; and the action of the meeting was based upon that idea.

I have in my possession, I believe, a copy of the original proceedings of that meeting.

AN AGREEMENT MADE AND SIGNED.

Q. Did they take the form of an agreement in writing?—A. It was an agreement entered into between the colored delegates from this disturbed district of the county and the white citizens of the Rolling Fork community.

Q. Were you a party to that?—A. I was.

NEGROES OSTRACISED.

Q. Look at that paper [handing witness a copy of the agreement].—A. That is the paper, sir. That is my own rough, hurried handwriting. Two of us acted as secretaries of the meeting—myself and a gentleman named Casey. I wrote the body of the instrument, and he filled out the blanks here with the names of these ostracized colored people that those other colored people said they would be responsible for. The names of those ostracized colored people were given in by these colored delegates.

This contains a list of the colored delegates, and the whites also.

[The witness read the agreement, as follows:]

THE AGREEMENT.

ROLLING FORK, MISS., *December* 7, 1875.

A convention assembled this day at the place above named for the purpose of taking such action as will restore and preserve peace and good order in our county, the following persons being present as delegates, viz:

D. M. Mickey, P. H. Johnson, delegates from Georgiana plantation.

Wash. Hamilton, from Watson's plantation.

Jack Hill, from Reality plantation.

Robert Roun, Andrew Hoy, from Onward plantation.

Sam Jones and Aaron Dean, from Sixteenth section; and

Jerry Carson, from Good Intent plantation.

And the following, also, as delegates, representing the Rolling Fork community:

W. D. Brown, Thomas C. Watson, E. V. Clements, John T. Casey, and W. B. McQuillen.

After a full and open expression of opinions and wishes from the colored delegates, and also from the whites, the following was agreed upon, viz:

The colored delegates pledge themselves, on their part, to be peaceable themselves, and do all in their power to preserve peace on their respective plantations and in their respective neighborhoods; to bring to speedy justice all violations of peace and good order.

They, the colored delegates, disclaim any responsibility for the past or future conduct of Derry Brown and Charles Brown, and they fairly and fully consent that such disposition may be made of their cases, for the purpose of preventing the execution of threats against the good order of the country, as to the white citizens may deem advisable.

The colored delegates further promise to do their utmost to arrest and deliver to the people the following turbulent persons, viz:

On the Keo Place: Derry Brown, Charley Brown.

Watson Place: Bill Hughes or Jones, Jim Robertson.

On Moore Place: Jack Williams, Silas Baldwin, George Williams, Warner Meyers, John Hopkins.

On the Hunt Place: William Dean, Evans Brown, Frank Anderson, Samuel Brewer, Fred Bell.

The white delegates on their part pledge themselves to protect to the utmost of their power all quiet and orderly colored people, and to see to it that they suffer no wrong or violence, either at their hands or at the hands of evil-disposed colored people.

Colonel Lewis Ball.	Aaron Dean.
Theo. C. Watson.	Sam Jones.
Wm. B. McQuillen.	Jerry Carson.
J. E. Elgin.	D. M. Mickey.
David Hunt.	Jack Hill,
P. H. Johnson.	Andrew Hoy
J. W. Ellis.	W. D. Brown.
Robt. Roan.	I. T. Casey.
Wash. Hamilton.	

That was just a rough hurried sketch of the agreement entered into between the white citizens and the colored men, for the purpose of quieting the public feeling on the part of the whites and blacks.

NAMES OF NEGROES OUTLAWED.

Q. "The following turbulent persons, viz: On the Keo Place, Derry Brown, Charles Brown," and then others: what part had they taken in these disturbances?—A. I can speak only as to what was said to me.

Q. I want to know what occurred at the meeting.—A. They were treated as outlaws by their own people, on that paper, in that agreement, on account of their participation in and in direct aid to those parties.

These colored people made this agreement: "We, as orderly people, want to do whatever we can to help you preserve peace. We will agree to this: if you will aid us and protect us, and see to it that we suffer no violence, we will see to it that these people whose names are there on that paper are either driven out of this country, or that they are arrested and punished; and on your part all we ask of you is just to see to it that we are protected."

WHAT THE WHITES WOULD HAVE DONE WITH THEM.

Q. If these people had been apprehended, Derry and Charles Brown, Bill Hughes, and others on that paper, what was proposed to be done with them?—A. I think that if they had been apprehended then, that they would in the midst of the excitement have been dealt with pretty harshly.

Q. If they had been arrested immediately after the excitement what was proposed to be done with them?—A. I do not know as anything was proposed to be done with them; I am not prepared to say, except as the statement there indicates on its face.

Q. Was it proposed to deal with them according to law for their crimes, or what?—A. I suppose that was their purpose; or that they were to be notified to get out of the country. I heard nothing as to their taking any other course.

THE NAMES FURNISHED BY COLORED PEOPLE.

Q. Were those names furnished by colored persons?—A. Yes, sir; by that list of colored delegates from their respective plantations.

Q. None of those negroes were present?—A. No, sir.

Q. And the names were handed to you?—A. They were called out openly in the meeting, and this other secretary, who acted with me jointly, filled them in.

Q. Who was he?—A. John T. Casey. He took the paper then and added the names in there as they were called out.

Q. How many colored men's names, and which are the colored men's names, attached to that paper?—A. P. H. Johnson is a colored man, Robert Roan is a colored man, Wash. Hamilton is colored, Aaron Dean

is a colored man, Sam Jones is a colored man, Jerry Carson and D. M. Mickey are colored men, Jack Hill——

Q. Is not Mickey a colored justice of the peace?—A. He was at that time—Andrew Hoy. That closes the list of colored men; the others are names of white citizens.

Q. I see there are sixteen names; there are seven whites and nine colored.—A. I never counted the number; that is a correct list, though.

Q. The rest of these are white men?—A. They are white men, sir.

Q. Citizens of that vicinity?—A. Of that vicinity and of the vicinity below, from which these colored people came.

NEGROES ASK TO HAVE THE AGREEMENT KEPT SECRET.

Q. Did the colored men admit the organization of clubs down there through the country, and the arming of them?—A. The whole proceeding of the meeting was predicated upon the idea that such an organization had existed; but those colored men said very little upon that subject. They were prudent and discreet men, and seemed to be desirous of not embroiling themselves with their color; and, in fact, they requested us to be very careful and keep that paper secret.

Q. Did they, or not, return these names to you as the ring-leaders in this scheme which you have mentioned?—A. As the prime actors in this conspiracy.

Q. What were the object of this conspiracy?—A. It was understood to be to burn, kill, and destroy generally, by way of retaliation for this affair that I detailed in the outset of my testimony.

WHITES ANXIOUS TO HAVE PEACE.

It was something novel in that country that white people should assume to exercise any part of the civil authority of the country. We had for years and years, in fact ever since the late war, in consideration of our small numbers, quietly acquiesced in the rule of the colored man. We felt our utter dependence upon him as the laborer of the country; we were anxious to preserve peace and would make no issue with him; and submitted to the rule of the colored men; had submitted to them, until this spectacle on Sunday morning, which I have referred to, of eight or ten white citizens guarding a lot of colored people as prisoners, seemed to exasperate and stir up the bad blood of a large number of these prominent negroes.

WHO PLACED THE GUARD.

Q. I understand that the guard was placed there by authority of law?—A. It was placed there by a colored magistrate who arrived here to-day.

Q. What is his name?—A. Harrison Smith.

By Mr. McMILLAN:

Q. Was he at that meeting?—A. He was not at the meeting; his name is not there.

Q. The names of these ringleaders were furnished by their own people?—A. They were given in by these colored delegates. They just gave us certain excepted characters, for whom they could not undertake any responsibility, and whom they proposed either to drive out of the country, or against whom they would enforce the law.

Q. Bring them to justice?—A. Yes, sir; punish them.

NO POLITICAL MEANING TO THE PEACE MEETING.

Q. In this affair from the first to the last, was there any political intent or significance?—A. It had no connection with political matters at all as I understood and felt; none whatever. It was simply an effort

on the part of the white people to protect themselves against what we understood and believed to be an organized conspiracy, that would, unless speedily checked, have led to the slaughter, indiscriminately, of the whites and blacks in the county.

WHITES SPARSE AND SCATTERED.

Q. State to the committee whether the white people of that county generally lived isolated from each other; that is, on large places at a distance from each other, and whether they were within reach of each other so as to afford mutual protection.—A. The Deer Creek country is somewhat isolated from the exterior world, and is distant from the Mississippi River on an average from twelve to fifteen miles, with an intervening miserable swamp, which, in some seasons of the year, is impassable.

We have access to Vicksburgh at certain seasons of the year, but for six months of the year, and that was a part of the six months, it is inaccessible except by a tedious land-route to Vicksburgh, or a tedious drive to the Mississippi River across the miserable swamp.

The plantations many of them are large, and the whites are, as compared with the colored people, sparse and scattered; not so much so now as they were a few years ago, as the white element is increasing largely in that country.

Q. Is the country divided into large plantations?—A. Yes, sir; though not so much so as once, for they are being somewhat cut up.

Q. At what distance from assistance or from white association do most of the white planters and their families reside?—A. Do you refer to association outside of the country?

Q. I mean as to their neighbors.—A. As I said a while ago, the white population is now much larger than several years ago. Take my neighborhood, for instance, as a sample: there, within a radius of two miles, I could include five or six families, perhaps six or seven families. Along farther down remote from the town, or the village, the plantations are larger and the whites much more sparse; sometimes one or two white people on a plantation, while there are perhaps from 100 to 150 colored people of all sizes and sexes; sometimes two or three on a plantation where there are 40 or 50 negroes.

THE POWER OF THE BLACKS IF THEY KNEW THEIR STRENGTH.

Q. I desire to obtain from you an idea as to the relative want of protection of the white people of that county should the colored people be disposed to injure them.—A. If the colored people were disposed to do that thing, and had the capacity for organization, and could keep their own counsel, they could annihilate the white people in a very short while, there is such a disparity between their numbers; and it was that very fact that kept us in constant alarm there, and caused us to open our eyes and to act with a view to our safety.

CROSS-EXAMINED.

By the CHAIRMAN:

Q. You have stated that you heard various rumors in November of organizations among the negroes for the purpose of killing, and you said you took no pains to ascertain whether they were true or not?—A. I did not personally; others did that; I did not myself.

PERSONAL RECORD.

Q. How long have you lived in that country?—A. I think this is the seventeenth year of my residence where I now live.

Q. Have you a family there?—A. Yes, sir; I have a family.

Q. Have you any property there?—A. My wife has.

Q. To what extent?—A. We have a tract of, I believe, seven or eight hundred acres, but there are three or four other interests in it.

Q. Are you planting on it?—A. Yes, sir.

Q. Do you raise cotton?—A. Yes, sir.

Q. Where was your crop at that time?—A. Part of it had been shipped to the city of New Orleans and part was in the field.

Q. Was there a cotton-gin on your estate?—A. Not at that time—I never had one.

Q. Of what place are you a native?—A. Of Middle Tennessee, county of Giles.

TOOK NO STEPS TO ASCERTAIN THE TRUTH OF RUMORS.

Q. You took no steps to ascertain whether these rumors were true?—A. I did not, but I was in constant communication with other gentle men who made it their special business to look into and inquire about these rumors, which were to the effect that they were 180 colored men armed in the lower part of the county, and on other plantations between us and that part of the county.

Q. Who were the men that gave you this information?—A. There was quite a number; I could give you the names of some of them: J. H. Robertson—I really feel at a loss to know what names to give; they are so numerous I hardly know how to give them. I recollect the name of Mr. Barrow, and most all of my near neighbors.

Q. Who were your near neighbors?—A. Dr. Clements is the nearest.

Q. Is he one that gave you this information?—A. I do not think he gave me this information, but we were discussing these matters among ourselves; perhaps he got his information from the same source that I derived my own from.

Q. Taking any one of these many persons, either one of those you have named, or some other, what did that person, or any one person, say to you that he had himself done for the purpose of ascertaining whether these rumors were true or false?—A. I can tell you what he told me was done immediately after these rumors gained currency. I think he heard others——

COLORED PEOPLE WATCHED.

Q. Mr. Robertson you are speaking of?—A. Yes. He and the others, perhaps this gentleman whose name appears on that paper, Colonel Ball, I am not positive, adopted this expedient: they selected discreet, careful men, who sometimes at night took their positions at points along the public road and at other places where they would not be observed, that they might catch anything that would lead to the detection of the conspiracy, if true; and the conversations of colored people taking place, for instance, in public gatherings, or at stores, and other places, were sometimes noted as pointing to that thing.

Q. What particular thing did these people hear; what particular remark on which they relied for the support of this rumor?—A. I recollect the remark that a gentleman made to me the other day, when discussing these matters.

NEGROES GETTING READY TO "STRIKE A BLOW."

Q. I speak now of what was told you at that time.—A. I know; but I was merely repeating one of the rumors that came to my ears at the time of these troubles last fall. We were on the lookout, watching, for we were expecting almost nightly that these riots that were threatened would come up. I think he was observing a party of colored people or their movements at a gathering at some point in the neighborhood, a short distance below him, and he listened to a conversation, and the sub-

stance of their conversation was a statement of the time and place at which, and when the blow should be struck; that was one thing.

Q. What was the time that was named for striking the blow?—A. Naming a certain Saturday night—next Saturday night.

Q. At what place?—A. At Rolling Fork. Toexplain myself, there are two places known as Rolling Fork; one is the mouth of the Rolling Fork, and the other is a point six miles above where it receives Deer Creek. The point above is named as "The Point" or "Rolling Fork," indiscriminately; and the point below is always called "Rolling Fork." The project was at first to attack Rolling Fork, and one says, "No; not at Rolling Fork, but at the Point."

Q. Is that where you live?—A. I live just above the Point.

Q. Was that agreement made previous to Saturday night when this trouble occurred?—A. The first trouble and collision between the boy and the colored men?

Q. Yes, sir.—A. No, sir; that was subsequent.

Q. When were the men—Moses Johnson and the others—killed?—A. I cannot tell you that, but I can tell you about when I think they were killed. I have no doubt but that they were killed, but I can only give the report of others on that point, as I never saw it and had nothing to do with it.

They must have been killed about the 4th or 5th of December; I think a day or two preceding the peace meeting referred to in that paper; that must have been about the time, I suppose; but I am speaking, understand now, not from knowledge, but giving you my suppositions from circumstances.

Q. You said from the reports of others.—A. From the reports of others.

WITNESS DON'T KNOW.

Q. Who made these reports to you as to the time when these men were killed?—A. It was a matter of general rumor.

Q. Give some person's name who mentioned it to you. Do you recollect of any person who mentioned to you the time when these persons were killed?—A. I could not give the name of any particular person, but that was about the time of the culmination of the trouble that took place on the 20th or the 21st.

Q. Twenty-first of November?—A. Yes, sir; that is the time, I think, of the original trouble that led to those other subsequent troubles.

Q. Who were the persons that gave you information that they were killed—these four or five colored men?—A. As I stated a while ago, I do not know. It came to me as rumor—report—but I have no doubt that it was true; I did not then, and I have not now. I heard it from so many sources I could not undertake to give the name of any person that named it to me. It was a matter of general notoriety.

Q. Was it also generally understood that they were killed by persons from your vicinity—from Rolling Fork?—A. No, sir; I don't know. There were a great many people that might have done the killing.

Q. Was it generally understood at your place that the killing had been done by people in that village or neighborhood?—A. No, sir; it was not understood who did do it, what particular person or persons; but I have no doubt they were killed by white people.

Q. Have you any doubt that they were killed by people from your neighborhood, from a point at or near Rolling Fork?—A. I cannot say whether they were killed by people from that neighborhood or not.

Q. Was it not generally understood that they were killed by residents from your place?—A. I cannot say that it was.

THINKS THE KILLING OF THE NEGROES JUSTIFIABLE.

Q. What is your view—that under all the circumstances it was a justifiable killing or not?—A. I believe just this, Mr. Boutwell, and I speak as a conservative, prudent man, who values human life, and one that never took human life except on one occasion by misadventure, and as one that sets a high value upon the life of a colored man; I believe, sir, in the sight of humanity and the Supreme Power, if life had not been taken about that time, if these turbulent characters had not been stopped in their career, that they would, in less than a week, have precipitated a conflict that would have resulted in the killing of a number of white people and the slaughter of a large number of colored people right on that creek.

I believe that it is justifiable upon this principle: that it is better that a few suffer—a few of the leading men—than that many of the innocent shall suffer. That is the view I take of it.

Q. That being the case, if you knew who were concerned in this killing you would not consider it an improper thing to state their names?—A. I should not. I feel like every citizen of my county whom I have ever heard express himself on that subject, of all classes, and many of the colored people, that it was justifiable, and that there is no wrong in disclosing, or impropriety—I need have no hesitation in disclosing who did it.

WITNESS CANNOT SAY WHO THE ASSASSINS WERE.

Q. Do you think it was done by people from Rolling Fork, as you understand it, or by people from some other place?—A. I cannot say; I cannot state whether it was done by people from Rolling Fork, or somewhere else.

Q. Do you think this killing was done by people from Rolling Fork, including the length of this creek, or by people from elsewhere?—A. There were people from Washington County, an adjoining county, that took an interest in our troubles, and that were ready to aid us, and that did come there for the purpose of aiding us in warding off this apprehended outbreak.

It would be rash and presumptuous in me to say that the people in Rolling Fork could possibly have done this thing when so many others may have done it. I don't know who may have done it. I am satisfied simply that it was done, but as to who did it I have no information in the world.

Q. You have no information whether it was done by your people or some one from elsewhere?—A. I have none, sir; honestly, I have not.

WITNESS A MEMBER OF THE WHITE COMPANY.

Q. Were you a member of the company that was formed there in the county?—A. I was.

Q. Were you an officer of the company?—A. No, sir, I was not.

Q. How many men were in that company?—A. I do not recollect.

Q. When was it organized?—A. I cannot give you the date.

Q. About when?—A. Some time in the fall; I could not give you the exact time.

Q. November, or October?—A. Well, I think it was, perhaps, in October or November, but which month I do not pretend to say, because I do not recollect.

Q. This first trouble between the boy and colored man occurred about the 21st or 22d of November?—A. Yes, sir.

Q. Did this military organization——A. I think that our organization antedated that by a short while, but the exact length of time I cannot give you.

REASON FOR FORMING THE COMPANY.

Q. What particular reason was there for organizing that company?—A. I am glad you asked me that question. That reason I found in this fact—a fact that I adverted to in my answer to questions on direct examination:

There were intimations, indications clearly to be seen in the general conduct and temper of the colored people of our country last fall—many of them, but not all, for I want it to be understood here that my remarks as to the colored people are not general by any means, for we have a large class of quiet, good, inoffensive colored people, that are valued highly as citizens, and as highly by the white people of our country as they are anywhere, and more so—there were indications, clear and unmistakable, in the general temper and conduct of the colored people, that their spirit was not of the best character.

JAKE BLACK, COLORED, THREATENS THE DEMOCRATIC PARTY.

I will illustrate what I mean, by stating this: We organized a little democratic club there along last summer. I think the object of it was to gather together the scattered white strength of the county for the coming election in the fall. Shortly after that little organization was effected, violent expressions came to our ears, through various sources, as to the feelings of the colored people. Rather than to permit the democratic party to get possession of the Government—I will quote the expression of one of them, which was repeated directly to me—did not come from his lips to me, but was understood to be a fact:—"Before these democrats shall get into office there shall be bloodshed." That, and other things of like character.

Q. Who made that remark, as it was understood?—A. That was reported to have been made by a colored man by the name of Jake Black, the very colored man who made the speech that I referred to at the outset: "We have got the democrats down. You have your heels on their necks. Keep them down."

That, and other things of that character, led the white people to apprehend that they were not safe, and that the exercise simply of their right to organize for political purposes, before any military organization was thought of, might possibly bring on a collision. That was what led to it.

Q. After the affair of the 21st of November, was there not notice given to this military organization to meet?—A. The first trouble, you mean?

WHAT TIED THE WHITES TOGETHER.

Q. Yes, sir; the first trouble.—A. Well, sir, I don't know. We did not need any notice. The citizens generally turned out *en masse;* turned out for the purpose of—right there at that point was found a fact that tied the white citizens of that county together more than any previous military organization that had ever been effected; the demonstration on that day, and that previous night, was what tied them together more than all other military organizations before that time.

WHITES CARRIED SIDE-ARMS TO THE PEACE-MEETING.

Q. At this peace-meeting, held on the 7th of December, were the white men armed generally, those who attended that peace-meeting?—A. I don't recollect that they carried their arms, except side-arms.

Q. You had side-arms?—A. I think I had, and I think that the people generally had them, for every man in the country was careful to have arms, and to have them where he could readily put his hands on them; but I don't think any but side-arms were carried.

Q. At that meeting it was understood, as I understood you to say, that these persons——A. You refer to the peace-meeting?

Q. Yes, sir; these persons who were ostracized, I believe you said, were to be delivered to be dealt with as the white people might think proper, and that the civil authorities were very inefficient?—A. That is the language on that paper.

Q. You stated something of that sort.—A. Please repeat your question again.

THINKS THE NEGROES NAMED IN THE AGREEMENT WOULD HAVE BEEN KILLED.

Q. It was this: that those persons who were named there were to be delivered up to the white people to be dealt with as they thought proper.—A. I read the thing as it was. I am of the opinion that if, at that time, these people had been arrested they would have been dealt with very summarily.

Q. That they would have been killed?—A. I don't know, but I think that they would. As to the people that are named there, who it was thought had been endeavoring to precipitate the whole country into this terrible conflict, there was not the best feeling, you may well imagine.

Q. At the time this paper was agreed to, if these persons had been brought in that very night, they would have been dealt with in the way you speak of?—A. I don't know but they would at that time. I say this: if, in the midst of the excitement, at its height, these people had been delivered, I would not wonder if that had been the result; but that peace-meeting had the effect to mollify the feelings of all parties; it certainly did mine.

Q. It appears from this paper that one of the objects was to have the persons designated arrested and delivered?—A. Well, sir, one of the objects of that paper was simply this: to put in the hands of the colored people the disposition of those characters. They were by that agreement to do this: they were to drive these turbulent characters out of the country; and they did it, for they have left for some reason. I suppose they have driven them out, or delivered them up.

THE MEANING OF THE AGREEMENT.

Q. What do you understand that paper to mean?—A. You wish my understanding of it.

Q. Yes, sir.—A. I understand it just exactly as it expresses itself there; that if they could arrest those parties—they disclaimed any responsibility for their past or future conduct—in that event it was expected of them that they should do it—arrest those parties and deliver them up.

Q. Was it or was it not the general understanding of the signers of that paper that if those persons were arrested they should be summarily disposed of?—A. No, sir.

Q. What did you expect to do with them?—A. That question was not discussed at all; but if they had been placed in the hands of the white people before this excited feeling had subsided, I think it possible—I don't know what they would have done. But after that paper had been executed, and this excited feeling had passed away, I should have been opposed to any violence.

Q. I do not ask you what you would have done, but what would have been done, do you think, if——A. I do not know what would have been done. I cannot speak for other people, but only for myself. I should have advocated such a disposition of them as to secure the peace of the country. The jail would have been sufficient, probably, to

secure that; but if that had not been sufficient, I would have driven them out of the country.

WHY SIX OF THE NEGROES WERE KILLED.

Q. Do you know how it happened that those particular six persons were killed, rather than other negroes?—A. I know this much, that Moses Johnson, and I knew him quite well, and one of the other characters by the name of Parker, were bad characters, who were, in my judgment, dangerous to the peace of the country. They were the leaders who, in my judgment, were likely to lead the innocent, inoffensive colored people in the country into a trouble that would have resulted in terrible loss of life. I suppose that that is the reason why they were killed.

As to the other men, I cannot say that I knew anything scarcely about them. I knew one or two of them in the country, when I met them passing up and down the road; but I knew very little of them before this. Two of them I knew quite well, and they were bad characters, and I am satisfied that if they had not been arrested in their career, the result would have been a terrible bloodshed, involving both white and blacks.

MORE OF WITNESS'S PERSONAL RECORD.

Q. You have lived seventeen years in that county?—A. Yes, sir; this is the seventeenth year of my residence there.

Q. Were you engaged in the war?—A. I was not.

Q. Where were you during the war?—A. I was at home, in the bottom where I am now.

Q. How did you happen not to be in the service?—A. I happened to be a member of the legislature in this State, and I was exempted. I had a family on my hands, and our country was very sparsely populated with whites, and it was not regarded as prudent to take all the white people out of the country, and to leave no one there to protect the few white families that were left in the country.

Q. The negroes were then numerous in your county and neighborhood?—A. Yes, sir; they were numerous.

Q. And the white people were less numerous than they are now?—A. Yes, sir; they were less numerous than now.

Q. And some of the white people were at that time in the military service?—A. Yes, sir; a good many of them were.

NEGRO DISTURBANCES DURING THE WAR.

Q. Were there any disturbances there from the negroes?—A. Yes, sir. I recollect very distinctly that on one occasion a gang of colored people armed and organized and marched up Deer Creek, and they assassinated an old citizen by the name of Clark, in his house, almost in the arms of his wife.

They assassinated another man on this same Hunt plantation, a few miles below me; killed him in the morning just about the time of his rising from bed.

They shot a third one, an old citizen by the name of Charles Fore, and attempted to kill him, but he made his escape.

They attacked another one, a little way down the creek on the same road, by the name of Sims; and on another occasion they made a similar raid and came within three-quarters of a mile of my house, but I happened, fortunately, to be absent from home, between my house and the Mississippi River, and they declared their purpose at that time to some parties at Rolling Fork to kill me.

I remember those facts very distinctly, and other facts precisely of a

similar character all over the country. I remember that I have remained awake many a night with my eyes open, fearful of the safety of my wife and children; and I would have preferred a thousand-fold to have been in the army, with my musket on my shoulder; and yet I have had a few old, good servants that have stood by me from the first to the last.

Q. When did this first raid take place?—A. It was in the year 1863 or '64; I am not positive which; and the second raid in that neighborhood was made a few weeks after that.

CAUSE OF THE NEGRO RAID.

Q. Do you know any particular reason for those raids when the parties were killed?—A. I do not. I have simply heard it given as a reason—I heard it at the time—that one of those white citizens, by the name of Clark, had a few days or a few weeks before this occurrence scolded one of the boys in the crowd for leaving his gate open; but no better reason than that have I ever heard. I don't know that any one else has ever known a better. If there were other reasons, I have never heard them.

Q. These negroes were killed on the 4th or 5th?—A. I think that was about the time; that was the rumor, that several negroes were killed.

Q. Were any of them killed on the plantations where they worked?—A. I cannot say. They were killed somewhere below Rolling Fork.

Q. Do you know where Elgin's store is?—A. Yes, sir; very well.

Q. That is about nine miles from Rolling Fork?—A. Yes, sir; nine miles—about eight, I think.

Q. Do you know whether they were killed below there?—A. I heard that some were killed between Elgin's and Mr. Hunt's residence.

Q. That is below Elgin's store?—A. Yes, sir; that is below Elgin's. I have heard that. I know nothing about it more than that. I cannot give the exact locality.

REV. MR. BALL "TOOK HIS HAND" WITH THE CITIZENS.

Q. Is it not understood at Rolling Fork that Rev. Mr. Ball, or Colonel Ball, was engaged in that expedition?—A. Colonel Ball took his hand with the citizens of the country.

Q. Was he not one of the party, and perhaps the leader of the party, that killed Moses Johnson?—A. I cannot say that; I can simply say this, that Colonel Ball took a very active part; I may say that he acted as leader of the people in the movement for self-defense.

REV. MR. BALL COMMANDED THE COMPANY THAT MURDERED MOSES JOHNSON.

Q. Now, is it not understood at that place among your people that he was the leader of this particular expedition which resulted in the death of Johnson and his associates?—A. I can answer that question in this way: It is a known fact, and not contradicted here or elsewhere, that Colonel Ball was in command of the white people when they were assembled and congregated together for the purpose of protecting themselves against apprehended assault, and Colonel Ball was on every occasion when these people were got together for the purpose of warding off an apprehended attack, unless he was elsewhere, in that position; and at this particular time that you refer to Colonel Ball was actively engaged with the citizens as one of them, and was in command of the citizens gathered together.

Q. Do not you know that he commanded the body of citizens that went to Elgin's store on the 4th, 5th, or 6th of December?—A. Yes, sir; I know that he commanded that body of citizens and was with them.

Q. When did they leave Rolling Fork?—A. On Sunday morning.

Q. The first Sunday morning in December, was it?—A. The first Sunday in December; that is my recollection.

Q. When did the killing take place?—A. The killing is reported to have taken place, as I said a while ago, either on Sunday or Sunday night.

Q. And the Rev. Mr. Ball led this expedition that went to Rolling Fork Sunday morning?—A. Whether he had anything to do with the killing of these negroes is not a question I am prepared to answer.

Q. He left on Sunday morning with the expedition?—A. Yes, sir; certainly he did.

Q. Were you at Rolling Fork in that expedition?—A. I was with those citizens.

Q. You went with Colonel Ball?—A. Yes, sir.

Q. Now you can tell us exactly why you went.—A. Certainly I can. I went with Colonel Ball down Deer Creek.

Q. Where to?—A. I will qualify my remark. I was not with Colonel Ball; I was with some other citizens. I recollect very distinctly that I, with certain other citizens, went as far as Mr. Watson's plantation.

DOES NOT RECOLLECT THE NUMBER OF ONE WHITE COMPANY.

Q. How large was that party?—A. I do not recollect the number; quite a little posse.

Q. Were you armed?—A. I was armed, sir.

Q. And the posse were armed?—A. They were all armed.

Q. Who were the men composing that posse?—A. I cannot give the names of all; I can give the names of some. Is it necessary that I give the names?

AGAIN THE WITNESS DOES NOT KNOW.

Q. Yes, sir; I think so. I do not see why you should not; it would be no worse for them than for you.—A. No, sir; I am not seeking to shirk any responsibility, for I have stated before that I thought it was fortunate that those persons were killed, although we had nothing to do with that killing; we don't know who did it. I was with a party of citizens, perhaps twelve, fifteen, or twenty; I don't remember the number.

RECOLLECTS A FEW NAMES.

Q. Please give us the names, as far as you can recollect them.—A. I recollect some of them. There were Mr. R. A. Allen, Mr. R. Y. Maxwell, and J. H. Robertson.

I think I have stated the number a little too high; I don't recollect now; I know there were several others, but who they were I cannot at this moment recollect.

Q. Was Mr. Ball of this party?—A. He was not of my party.

Q. At what time did you leave Rolling Fork?—A. I don't recollect the exact hour; we left there some time in the morning.

Q. Were you mounted?—A. Yes, sir; I was mounted, as a matter of course.

Q. Were all your associates mounted?—A. They were all mounted. We were armed and equipped, ready for any armed men that might have met us, or that we expected to meet.

Q. Where did you go?—A. I went as far as Mr. Watson's plantation.

Q. How with reference to Elgin's store?—A. That is below Elgin's store.

Q. How with reference to Hunt's plantation?—A. Several miles below Hunt's.

Q. You went by Elgin's?—A. No, sir.

Q. Did you go by Hunt's?—A. Yes, sir; we went by Hunt's, or, at least, in sight of there.

Q. It was along the plantation?—A. Certainly.

Q. What did you discover in the way of bodies of armed men that day?—A. I discovered nothing of the men, for the reason that there was a party in advance. I could not give the number of persons that I saw, but I saw no bodies of armed men on the way.

Q. What body was in advance of you?—A. Another party of white citizens.

Q. Who were they?—A. A party of white citizens from that section.

Q. Who were they?—A. I cannot recollect the names; one was named W. F. Barrow.

Q. Do you know any others of that party?—A. I would know them, I presume, if I knew who they were.

Q. Can you recall them?—A. I don't think I can just now.

Q. Was Rev. Mr. Ball of that party?—A. I don't think he was.

Q. Where was he?—A. I think he was with a separate party.

Q. Do you know where Moses Johnson lived?—A. He lived on the Hunt place.

Q. Did you stop at the Hunt place that day—your party?—A. No, sir; I did not.

Q. None of your party stopped there?—A. I did not, nor any one of my party on that day.

Q. When did you first hear that Johnson or any of those persons were killed?—A. I think I heard it on Monday, the following day.

Q. Did not hear of it on Sunday?—A. No, sir; I did not.

Q. Did not know of it on Sunday?—A. I did not know of it.

Q. Which way did you return?—A. I came back by Mr. Hunt's and stopped a while on Sunday I mean, but not on the day of my return.

Q. Did you hear anything said about Johnson at that time?—A. I don't recollect that I did.

Q. Did you hear that anybody had been killed?—A. No, sir; I did not. Any killing that was done was kept a profound secret from me, if it was done by any party or any number of persons composing the party—the party that went down the creek. They may have done it, for aught I know, but they certainly kept it from me; I knew nothing about it.

Q. Did you meet any of the other parties on that day?—A. That night I did.

COMPLETE RELAPSE OF RECOLLECTION.

Q. Did they report seeing any bodies of armed men?—A. I heard nothing of the kind.

Q. Was it all quiet at Watson's and Elgin's store?—A. I don't know.

Q. Did not hear of anything of the kind?—A. I heard nothing to the contrary. I think that a report may have preceded the coming of these squads that quieted everything, judging from what I saw ahead of me.

Q. You knew about the movements of the people at Rolling Fork as well as anybody; you were secretary of this meeting, and you knew what was going on very well?—A. Certainly.

WAS A MEMBER OF THE SCOUTS BUT DID NOT KNOW WHAT WAS GOING ON GENERALLY.

Q. Were you a member of this company of scouts?—A. Yes, sir; I was one of the citizens. It was a company consisting of the citizens of the country, and I went with them, and I am free to say I will go again.

Q. And standing in their confidence you knew what was going on generally, did you not?—A. I did not know that.

Q. Did you not know generally?—A. It may be that that very fact kept me from knowing, for aught I know; but I certainly did not know that until after I heard of it the following day.

WITNESS AGAIN FEELS JUSTIFIED.

Yes, sir, I was with that party of citizens. As I said a while ago, having a wife and children quite dear to me, who had been sleepless for a week or ten days, and having these constant threats and rumors coming to my ears, that we were likely to be assassinated and burned up, &c., I thought it my duty to take my gun and be ready for an emergency. I think that any other citizen, under the circumstances, would have felt the same way.

There was a universal feeling among the citizens of apprehension. It was a universal movement; there may have been an exception or two, but it was a county movement for self-defense.

Q. And the emergency on that Sunday, the 5th December, was such that you think the killing of Johnson and the others was a justifiable thing?—A. I say this: That I believe if those bad men had not been put of the way—as to who did it, I don't know; but I believe it was fortunate that they were killed—I believe that, if they had not been put out of the way, in less than a week we would have been precipitated in a conflict of races that would have resulted in the loss of one hundred lives right on that creek.

I believe it for this reason: we had evidence of this conspiracy, and of the vigorous, active movements that these leaders were making to carry that conspiracy into execution; and my impression is that these men were killed by whomsoever they may have been killed, under the impression that it was better, to use common language, to nip the thing in the bud than to allow it to culminate and lead to these disastrous results; and I believe that under the circumstances it was justifiable, perfectly so; although lamentable, I believe it was justifiable.

ABOUT THE DIVISION OF THE COUNTY.

Q. When did the project for a division of the county begin?—A. That began three or four years ago, and I took a very active part in it, but we accomplished nothing at all until the meeting of the last legislature.

Q. When did the last legislature meet?—A. At the time fixed by law, in January.

Q. What time in January?—A. I think the Tuesday after the second Monday.

Q. You understood that the legislature of 1876 would give you a new county, did you?—A. Well, sir, I had been anticipating that for the last three years, and working for it, but we never achieved our purpose until the meeting of the last legislature.

UNDERSTOOD THAT THE COUNTY WAS TO BE DIVIDED IF THE DEMOCRATS SUCCEEDED.

Q. Was it not one of the things that you expected when the democrats came into power?—A. I was not certain, but, on the contrary, had many misgivings, and it was almost a question if we succeeded, on account of the opposition, which was very serious in Washington County; for instance, and on the Mississippi River. I made trips to those places during the sitting of the legislature, with a view of trying to effect it, in company with other citizens.

Q. Did you have really any very great difficulty in bringing it about? —A. Well, sir, we had considerable difficulty.

Q. Did you have a hearing before a committee?—A. I never went before any committee. Certain others of the citizens did. I think there was a meeting on the part of one or two of our citizens in my presence.

Q. Do you remember what the majority of the legislature was for it? —A. No, sir; I do not. Finally they passed the measure in this way, by a compromise with the representatives of Washington County: we sought to take from Washington County, for the purpose of making this county, a larger amount of territory than they were willing to concede to us; and that territory, as we conceived, was necessary in order to the formation of such a county as we expected to make; but at the last moment, rather than fail entirely in our expectations, we consented to a compromise and took less—a much less county than we expected to get.

YOUNG WHITE ONLY HAD A SLIGHT FLESH WOUND.

By Mr. CAMERON:

Q. How severely was this negro injured by the young man who struck him with a knife?—A. I can only give you hearsay on that point. It was a very slight flesh-wound as I have understood. I never saw it myself, but I have the impression that it was not very severe. I believe the negro was the one that was arrested among the conspirators that very night, or on the following morning. Upon that point I am not certain, but I think he was. It was reported to me as a slight gash.

A BOY INFLICTED THE WOUND.

Q. Was the boy who inflicted the wound arrested or examined before a magistrate?—A. I do not think he was. I think he was taken to his residence, wherever that may have been. He was a laboring boy not of that neighborhood, and I think he was glad enough to leave the neighborhood. I think he fled from the country.

CAUSE OF THE SHOOTING.

Q. Do you know how the shooting was commenced on the night when these negro men were guarded in the store?—A. My impression is this: A young man rather under the influence of liquor, I think——

Q. He was one of the crowd?—A. No, sir—came up from the neighborhood below—this, of course, is matter of report—and, alighting from his horse on the gallery of the house in which these men were confined, perhaps staggered and fell against the window; and my impression is that that excited the negroes that were confined in the house, and that, knowing that there were two windows in the back of the building, they suddenly stampeded, with a view of bursting those windows and getting out; and that excitement, I think, caused some of the men that were on guard to commence shooting.

That is my impression, and I give that statement from this fact: I was lying in a room on a counter, about twenty-five yards distant, with a party of citizens, slightly dozing, when I was suddenly aroused by rumbling noise like that made by a large number of horses crossing a bridge. Immediately afterward I heard this crash. I afterward found it to be the window panes and sash; and immediately following that I heard this general firing; and I think that was just the way in which the occurrence took place. I think the negroes were frightened by the falling of that man against the window, seeing, perhaps, his gun in his hand. The front of the building was glass doors.

Q. It was stated to the committee by a witness who appeared before

the committee yesterday that at the time this young man fell against the window his gun, as it is supposed, accidentally fired, and the negroes then stampeded, as you have described, and broke the windows in the rear of the store.—A. It may possibly have been so, but the firing succeeded certainly the noise I heard.

Q. The general firing?—A. All the firing. I heard no firing, according to my recollection, until after this rumbling noise.

Q. How many negroes were wounded at that time?—A. Two slightly wounded.

Q. They broke the windows and door to escape?—A. They all escaped but four.

GUARD FIRE UPON THE FLEEING NEGROES.

Q. When escaping they were fired upon by the guards?—A. I suppose the firing was directed toward them; I don't know. I ran to the door, and when I reached the door I saw a general firing across the street in that direction; perhaps eight or ten shots; may be more, may be less. If there was any firing I did not hear it until subsequent to this rumbling noise, which I suppose was caused by the people stampeding from the front to the back part of the house; there may have been.

WITNESS AVOIDS LEARNING WHO DID THE KILLING.

Q. Have you ever talked with any citizen of Rolling Fork, or of that vicinity, or of Washington County, in regard to who the persons were who were engaged in the killing of those negroes?—A. I have not, sir; I have merely done this: After I learned of the occurrence, although, as I said a while ago, I believe in the sight of the Supreme Power it was justifiable, I simply did not wish to know who did it.

Q. Then you carefully avoided asking who did it?—A. I cannot say that I have carefully avoided it, but I never interested myself to make inquiries.

Q. You have never conversed with any one on the subject?—A. I have never conversed with any one who gave me any information as to who did it. I did not want to know who did it. Whoever did that is backed by the public sentiment of that whole country, for this reason: that it is better that a few suffer than that four or five hundred inoffensive negroes be led into a general conflict. That is the view I take of it, and that is the view that the county takes of it.

THE MURDER OF THE NEGROES NEVER INQUIRED INTO BY CIVIL AUTHORITIES.

Q. Has the matter of the killing of these negroes been investigated by a jury?—A. Not that I am aware of. I have never interested myself so far as to inquire on that subject. It was several miles below me where they were reported to have been found. I never saw the persons, and never inquired as to what was done.

Q. Have you any information to the effect that it has been investigated by a jury?—A. I have no such information.

MAGISTRATES POWERLESS.

Q. Has it ever been investigated before a magistrate?—A. I do not suppose it has; I never heard of it. The magistrates about that time were powerless. In the first instance, they were powerless because these turbulent characters intimidated them and prevented them from executing the functions of their office; and they were powerless after that for the reason that the climax had been reached, I suppose.

Q. Has the matter been presented to the grand jury, or investigated at all?—A. Not that I am aware of. To do that would be to indict a

whole people, and I believe that is rather difficult to do; that is, on the supposition that the people may have done it.

NECESSARY TO INDICT A WHOLE PEOPLE.

Q. You say that it would be necessary to indict a whole people?—A. On the supposition that the people did it; on the supposition that the white men did it. They have been killed, and I am satisfied that they were killed by white people, mark that. On the supposition that white people did it, who, I know not, I say to indict them would be to indict a whole people, because the whole country regarded the thing as justifiable; and if the fact of our being under arms at that time would connect us as conspirators with the ones who may have done it, I say to indict them, whoever they may have been, would have been to indict a whole country.

I believe I have made myself understood.

NO COURT IN SHARKEY SINCE THE MURDERS.

Q. I will ask you again, has the matter ever been investigated before the grand jury?—A. Not that I am aware of. They have had no court in the new county of Sharkey since the occurrence took place. Before the holding of the court in Issaquena County, to which this territory at that time belonged, the division was effected, and that grand jury, I suppose—I don't know; I did not attend that term of the court; assigned the matter to the grand jury of the new county.

Q. Have you ever heard any one state that it was his intention to bring the matter before the grand jury?—A. I have not, sir. I do not think that there is a white citizen of the county who has any such intention; and I don't think there is any good colored citizen that has.

NEVER HEARD ANYTHING AGAINST DERRY BROWN UNTIL AFTER THE KILLING.

Q. You stated, I believe, that Derry Brown's character, until after some of these disturbances at least, had always been regarded as fair?—A. Derry Brown lived a number of miles below me. I have met him occasionally, and knew him when I met him; I never had heard any thing against Derry.

Q. Did you hear anything against him until after the killing of these six or seven men?—A. I don't think that I did—not against Derry. Charles, I understood, was very active previous to that time; that is the information I have—his brother. I never heard anything reflecting upon Derry until subsequent to this occurrence.

NO DISTURBANCE BEFORE ELECTION.

By Mr. McMILLAN:

Q. During the campaign of 1875 you say there were no disturbances in your county previous to the election?—A. Nothing that I heard of; I think I should certainly have heard of them had there been. I was very familiar with what was going on in my own immediate locality, the Deer Creek part of the county, and I am certain there were none there.

Q. Were there any disturbances on election-day?—A. None whatever. I rode up to the polls in the afternoon, perhaps about the middle of the afternoon, and voted and left, and did not see or hear of any disturbance.

Q. Everything was quiet during the campaign, and on election-day?—A. I think so; I never heard of anything to the contrary.

Q. What was the result of that election?—A. I think it was republican.

Q. How much?—A. I do not recollect the majority.

Q. About how much?—A. I do not like to express an opinion of that general character. The truth is this: we, knowing the county was republican, our object was merely to develop the democratic strength of the county. We had a little democratic club, as we called it—we had them all over the county—that was not got up with a view of controlling the election or of accomplishing anything, except simply as a measure to gather the white citizens together that we might know our strength.

It was largely republican, though the democrats, a good many of them, remained away from the polls. We simply knew there was no chance for success, and under that feeling a great many refused to vote. It was perfectly quiet, perfectly.

ABOUT SHERIFF H. P. SCOTT.

Q. Who was the sheriff of the county?—A. The sheriff of the old county?

Q. Yes, sir; at that time.—A. H. P. Scott.

Q. What kind of an officer is he regarded—is he regarded favorably by the people of the county?—A. I regard him as rather an inefficient officer, a sort of negative character. I think the work of the office is done chiefly by deputies of some intelligence.

Q. Who is his deputy?—A. I think it is a man by the name of Anderson. His former deputy was Mr. Collins.

Q. Up to the division of your county?—A. Mr. Collins.

Q. Was Mr. Collins a white man?—A. Yes, sir; he is a white man.

Q. What were his politics?—A. I think he is a democrat, as most of the white people in that county are; but there are some republicans, a few here and there.

Q. When did this first disturbance occur?—A. It was either the 20th or 21st of November, the disturbance between the boy and the negro; the night of the 20th of November, I think.

Q. Was that the night of Saturday?—A. The night of Saturday; yes, sir.

Q. Where were you at that time?—A. I was at home at that particular time. I heard of the occurrence very early in the morning, and drove down to the village.

Q. You knew nothing personally about the matter?—A. Personally, as to the occurrence at the time, of course I saw nothing. I gathered my information, up to the time of my going down early next morning, from persons who had witnessed the occurrence.

Q. The parties were arrested and put into the store?—A. Yes, sir.

THE GUARDING OF THE PRISONERS BY WHITE MEN EXASPERATED THE NEGROES.

Q. Guarded by white men?—A. Guarded by white men.

Q. That was by direction of the sheriff.—A. And the guarding these negroes by white men was the initial fact that exasperated the bad colored men of the county.

Q. That is your opinion, I suppose?—A. That is an admitted fact in the county.

Q. Admitted by white people, is it?—A. That fact?

Q. Yes, sir.—A. That is universally understood to be the fact. It was a novel spectacle in that county to see a white man having anything to do with the administration of civil authority.

Q. Have you not a deputy sheriff, a white man, there?—A. Yes, sir.

Q. And you say that he performs the duties of the sheriff?—A. Yes, sir; certainly.

Q. Were those guards not deputized by him to take charge of those people?—A. No, sir; by a colored magistrate.

Q. By a colored magistrate?—A. They were, indeed.

Q. Does not the deputy sheriff discharge the duties of sheriff there?—A. Well, sir, he sits in the office and does the writing and keeps the books.

Q. These guards were, at least, placed over the black men in the store?—A. They were, certainly.

Q. And that night the disturbance occurred?—A. Yes, sir.

WHEREABOUTS OF WITNESS WHEN SHOOTING BEGAN.

Q. Where were you when you first heard any noise that night?—A. I was in the store about twenty-five or thirty yards distant, right in the village, lying down on the counter.

Q. What time of night?—A. Somewhere, I suppose, about eleven or twelve at night.

Q. What was the noise you first heard?—A. I heard, sir, when I was first aroused up from a sort of slumber, what I supposed the noise of a crowd of horses running across the bridge, a short distance from the house in which I was.

Q. Do you know what that noise was?—A. I subsequently took it for granted, when I went out and heard that the negroes had escaped from the store, that it was their stampede through the store.

Q. You spoke of the window being broken.—A. Yes, sir; there were two windows, and they were both knocked out.

Q. You spoke of a young man falling against the window before the firing.—A. I say that is reported to have been a fact. I suppose that his falling against that window must have stampeded the colored people from the front to the rear of the store, and caused them to escape.

Q. The report is that he fell against the window?—A. That is the report.

Q. Do you know anything of the facts of that?—A. No, sir, I don't know anything of the facts.

THE WHEREABOUTS OF THE SHERIFF.

By Mr. McDONALD:

Q. Where was the sheriff?—A. He was at the county-seat, I presume.

Q. How far off?—A. On an air-line about eleven miles; across a miserable, almost impassable swamp.

Q. At that time Rolling Fork was not the county-seat?—A. No, sir.

Q. You had nothing but local magistrates, and they were colored men?—A. We had nothing but local magistrates, and they were all colored.

Mr. CAMERON. At the election of 1875, for Buchanan, republican treasurer, 2,044 votes were cast; and for Hemingway, democratic treasurer, 266 votes.

ABOUT BOWIE FOREMAN.

By Mr. BAYARD:

Q. Do you know a negro of the name of Bowie Foreman?—A. I know him quite well.

Q. What is his repute?—A. He was a drunken sort of a vagabond, not worth much; considered not a character of much consideration; whisky-drinking and very unreliable; and in proof of that fact I may state that at the term before last of the circuit court of our then county of Issaquena, Judge Shackleford discharged him from the grand

jury for what he regarded as the crime of perjury—unproven; just simply the fact. He is a trifling, drunken sort of a fellow, of not much account.

Q. You see the vote that was read there shows that the county went overwhelmingly republican at the last election?—A. Yes, sir, so much so that I never interested myself to look at the result.

REPUBLICANS HAVE CONTROLLED THE COUNTY SINCE THE WAR.

Q. That placed the whole control of the county in the hands of the republican party?—A. The whole control of the government, ever since the late war, has been under the control of the republican party.

Q. You say that the colored men who attended this peace convention considered that the persons whose names are given in this paper were responsible for this trouble?—A. They gave in, one after the other, the names of those parties, and said they would not stand responsible for them.

Q. Did they consider that those were the men who assisted in getting up this difficulty?—A. Those were some. It was said at the time that others had fled from the country, and had been omitted for that reason.

Q. And had been concerned in getting up these riots?—A. Their leaving the country was accepted as evidence of their complicity in the conspiracy.

Q. I observe the name of Derry Brown among them?—A. Yes, sir; it says Derry Brown and his brother Charles.

ABOUT COTTON AND COTTON-GINS.

Q. What is the chief crop of your country, sir?—A. Cotton is the chief product.

Q. To clean the lint from the seed you must take it to the gin-house?—A. You must take it to the gin-house; yes, sir.

Q. Is the packing-press, the baling-press, near by there?—A. It is generally inside the gin-house now. The old-fashioned press was exterior to the gin; the press is now in the rear portion of the gin-building.

Q. When you speak of the destruction of a gin-house by fire, let me ask you, in the first place, if a single match is applied to a gin-house is there any possibility of saving it?—A. There is no possibility, sir. If it is seed-cotton, and you merely apply a match, if you have an adequate supply of water to apply to the fire instantly, you might save it; but if it is lint-cotton, it just burns instantly, like powder almost.

Q. Is there any possibility of saving a gin-house that is fired?—A. But very little possibility.

Q. In these isolated houses, do the people have any means of extinguishing a conflagration when it is once started?—A. We have nothing to depend upon. That mode of revenge is regarded as the surest.

Q. And I understand you that a part of the threats that were made were for the destruction of these gin-houses?—A. Burning gins, and killing indiscriminately.

NO COTTON-GINS BURNED.

By the CHAIRMAN:

Q. How many gin-houses were burned in the vicinity of Rolling Fork last year?—A. None were burned.

By Mr. MCMILLAN:

Q. Do you know whether Derry Brown had any cotton in gin at that time?—A. I don't know; but I know there was no cotton-gin on the place where he worked.

Q. Then he would have to put it in some other place?—A. They would have to put it in some other house.

ONE WHITE KILLED IN THE COUNTY BUT NONE AT ROLLING FORK.

Q. How many white people were killed by negroes in the vicinity of Rolling Fork in 1875?—A. I have no recollection of any now. There was a white person killed in the county, but not at Rolling Fork, by a colored man, at Skipwith's Landing, I think.

By Mr. BAYARD:

Q. Did these parties all sign this paper in your presence?—A. Most of those signatures were made in my immediate presence. Several of them are written by one gentleman, because the negroes whose names are written could not themselves write.

Q. He wrote them at their request?—A. He wrote them at their request. I do not think that is Colonel Ball's signature; I think that was put there by some gentleman, at his request also.

DON'T RECOLLECT AND CANNOT SPEAK POSITIVELY, AND DON'T KNOW ABOUT ARMED MEN.

By Mr. MCMILLAN:

Q. I believe you stated that at that meeting the white people all had arms?—A. I imagine they had; I do not recollect.

Q. Were the black people armed?—A. I don't know whether they were armed, and I don't know whether we were armed—I cannot speak positively.

Q. Were you armed at that time?—A. I think I was, but I don't know. The idea of peace was so pleasant at that time to my mind that I may have been armed, or not. I had been armed, I think, for eight or ten days.

DAVID M. MICKEY—ISSAQUENA (SHARKEY) COUNTY.

JACKSON, MISS., *June* 22, 1876.

PERSONAL STATEMENT.

DAVID M. MICKEY (colored) sworn and examined.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Sharkey County.

Q. Do you hold any office there?—A. Not at the present time.

Q. What position did you hold last December?—A. I was magistrate.

Q. For what district?—A. District No. 4.

RECOLLECTS THE MURDER OF MOSES JOHNSON AND OTHERS.

Q. Do you remember the troubles that took place there, in which some colored people were killed in December of last year?—A. Yes, sir.

Q. Moses Johnson and some others?—A. Yes, sir.

Q. How far from where they were killed did you reside; was it in your district?—A. Right on the plantation I lived on.

Q. What plantation is that?—A. David Hunt's plantation. The name of the place is Georgiana.

Q. On what day in the week—on what night—were they killed?—A. To my remembrance it was about the 5th of December, on a Sunday night.

NO PREVIOUS TROUBLE BETWEEN WHITES AND NEGROES.

Q. Prior to that time what trouble had there been in that part of the country between the colored men and the white people? Just state in your own way what you know as to the organization of bands, either of whites or of colored people.—A. I don't know of any trouble betwixt the whites and the blacks before that. There was a little difficulty there, I heard; but I don't know how it started or how it was; but on a Friday, in the same month, the boys of that neighborhood heard that there was some difficulty at Rolling Fork; that the white people had killed some boys down there and had some in prison.

NEGROES WANTED A WARRANT TO ARREST THE MAGISTRATE AT ROLLING FORK.

They said they were going up there to see about it; and they came to me and wanted me to give them a warrant to go up there to arrest the magistrate up there. They said that he was issuing warrants, and not in the right shape, and they wanted me to issue a warrant to arrest him. I asked them was any of them prepared to make the necessary affidavit, as required by law, and then I would do so; but they refused to do it, and I told them that I didn't know nothing about the difficulty; there had been nobody to give me any information about it; but if any of them were prepared to make the necessary affidavit I would issue a warrant; and that I could not do otherwise, unless I had some instructions in the matter; so the boys—that is, Rufus Heyward and Moses Johnson——

NEGROES WENT AS FAR AS ELGIN'S AND HUNT'S STORES, AND RETURNED IMMEDIATELY.

Q. Either of the Browns in it?—A. No, sir; they were not there that day that I was talking to these boys, on Friday morning. They started, and I think got as far, I reckon, as Elgin's and Hunt's store, about two miles, and there the matter was settled, as I learned, and they returned back immediately.

During that day, some of the boys from Mr. Watson's heard that the white men were killing the colored people on Rolling Fork, and had started to go down there. They arrived at the store about a mile from Mr. Hunt's, and they said that the boys from Mr. Hunt's was gone on back, and they went down to Mr. Hunt's place; and from there they went back home.

ARMED WHITE MEN WITH MOSES JOHNSON.

I had been down the road about three miles, I suppose, from my house, but I saw no danger and I returned back home. This was Wednesday morning, and I saw some white men on horses, armed, and Moses Johnson was with them. I was a magistrate at that time, and he says to me to go up the road; and I rode up alongside of them in the road, and Moses Johnson rode opposite to me.

BARROW CHARGES WITNESS WITH ENCOURAGING THE DIFFICULTIES.

The white gentlemen said, "Hold on there, Moses;" and he held on. That was a young man named Lee Clark, and I wanted to hear what he was going to say. I sat there about ten or fifteen minutes, and he said, "Mr. Barrow wants to see you; he is up there at your office, and he wants to see you."

When I rode up, Mr. Barrow said, "Your name is Mickey, is it not?" I said, "Yes, sir." He said, "I understand you are the man that is encouraging all these difficulties down here." I says, "Me?" and he says, "Yes, you." I says, "Not me, sir."

He said, "Your name is Mickey, isn't it?" I said, "Yes; but perhaps you have made a mistake in the name; look good. I writes my name D. M. Mickey." He says, "That is the name." I said, "I don't care who says so; I am prepared to prove that it is a black lie. I am for peace, and I have always been for it, and I don't mean anything else but peace."

NEGROES DETAINED BY THE WHITES.

There was about ten or fourteen people standing right there at the gate, and some men on their way to the Mississippi River, Colbert Williams and Warren Crump and John Carson and William Crump, and they stopped them and would not let them go, and kept them about an hour before they let them go. After a while they let them go; after a while they told them that they might go on down the road, and they went on down the road.

NEGRO MURDERED.

In coming down the road, a man who was there from Vicksburgh—I had never seen him before, but I seen him afterward—saw these men coming and he broke and run, and they shot him; and they went on down to Mr. Watson's and they returned from there; and when they returned from down there they came by Mr. Hunt's; and when they went down they told Moses Johnson; they asked, who did surrender? Did he surrender to Mr. Elgin, or did Mr. Elgin surrender to him?

MOSES JOHNSON TAKEN AWAY BY THE WHITES.

And Moses told him he didn't understand what he was talking about; and he told him to go up and get his parole, and he went up and asked Mr. Elgin for it, and got it, and they turned him loose.

About sundown they came and called him out, and told him to get his horse—he was tied there to an oak-tree in front of my door—and he got on his horse, and they started for Mr. Hunt's plantation, and the white people told him that some of the colored people could go with him if they wanted to; and they came back and remained there at Mr. Hunt's until just before day, and I knows I heard the guns fire when they were going away; there was a crowd went away. I was very badly frightened myself.

WITNESS PROMISED PROTECTION.

I was awake in my house, and another man, named William Crump, staid with me that night; and Mr. Robinson came and called me, and said, "Where is David Mickey?" I said, "Here I am." I didn't have any idea that they were going to kill the boys; if I had I never would have answered. He rode up inside of my yard and said, "Just make yourself easy; there is nobody going to hurt you; and if you see Frank Anderson tell him to come back, that nobody is going to hurt him."

KNEW OF NO COLORED MEN'S CLUBS—ONLY THREE BLACKS ARMED.

Q. What do you know of the formation of bands of colored men, who were armed—associations or clubs?—A. Well, I knowed nothing of any clubs. I know the men on Mr. Hunt's place were talking of getting up a club; but that Moses Johnson and Frank Anderson and Rufus Heyward were the only ones that I saw during that time that were in arms, saying they were going anywhere.

Q. Had they fire-arms?—A. Yes, sir.

Q. What kind?—A. Double-barreled shot-guns.

Q. Were they going to fight?—A. They said just this—they repeated it to me plainly—they said they were going to Rolling Fork; they had

heard they were killing colored people down there, and they were going there to see what they were doing.

WHAT MOSES JOHNSON SAID.

I said, "If you want to go there, put your guns down and go up and find out." They said, "We are afraid to go up there without arms; they are killing them and they will kill us." Moses Johnson said, "I want to have something, so if they fire on me I will kill some of them before they kill me."

Q. Who said that?—A. Moses Johnson.

Q. What did he say?—A. He says, "Let us go down there and kill them, and burn up the place; that is the only way we can stop them from killing our color." I remember that distinctly.

Q. Did he tell you or say anything to you about other men on other plantations that had engaged to go up with them; others that they expected to join them on the way up?—A. No, sir; he didn't.

JOHNSON, ANDERSON, HEYWARD START FOR ROLLING FORK.

Q. Did they start from Deer Creek toward Rolling Fork?—A. Yes, sir.

Q. Was that for the purpose of carrying out these threats that they had made?—A. I don't know whether that was the intention or not.

Q. But they made these threats in your presence?—A. Yes, sir.

Q. Did they make them frequently?—A. No, sir. Some boys would run on and talk that way sometimes; but Moses Johnson I never heard talk that way before; and Rufus, none of the white people would mind what he said.

THE AGREEMENT MADE AT THE PEACE MEETING.

Q. Were you present when this agreement was made? Is that your signature? [Showing witness agreement between the white and colored men.]—A. Yes, sir.

Q. Were you there when this paper was drawn up and signed?—A. Yes, sir.

Q. Tell us about that.—A. How did it come that this paper was in this way?

Q. Yes, sir; about the paper, and what led to the agreement.—A. What led to the agreement?

AGREEMENT MADE FOR FEAR THAT THE WHITES WERE COMING TO KILL ALL OF THE NEGROES.

Q. Yes, sir.—A. Right there we heard that the thing was not settled, and that the white men was coming down; that there were two companies at Colonel Given's, and they were coming down to kill all the negroes from there to the Yazoo River; and the people got so excited on Monday that I could not rest, and I didn't stay in my house, neither, Monday night; and I went off from my house; and on Tuesday morning they said that they wanted a committee to go to Rolling Fork, and the colored people chose me and another man named Philip Johnson, and we would not agree to go unless Mr. Hunt would agree to go with us. We told them so.

Mr. Hunt said that he could not go, his wife was sick; but we told him we could not go if he didn't go; that I didn't feel safe in going; and Mr. Hunt agreed to go with us; and we went up there; and the reason that we entered into that agreement we didn't see any other way for peace—that we could have peace—but that; and the white men promised that if we didn't enter into the agreement that we would be responsible for any violence that might arise on these places; that if

we didn't try to stop it, and put an end to it, that we would be the parties responsible. I know Colonel Ball said that distinctly.

Q. You understood the contents of that paper distinctly before you signed it?—A. Yes, sir.

NAMES OF NEGROES OUTLAWED.

Q. It says here, "The colored delegates further promise to do their utmost to arrest and deliver to the people the following turbulent persons, viz"—and then they give the names—"on the Keo place, Derry Brown and Charlie Brown; Watson place, Bill Hughes or Jones, Jim Robertson; on Moore place, Jack Williams, Silas Baldwin, George Williams, Warner Meyers, John Hopkins; on the Hunt place, William Dean, Evans Brown, Frank Anderson, Samuel Brewer, Fred Bell." Were these names handed in by the colored men as men who were turbulent people?—A. I don't know whether they handed in them names or no; but I infers one that was there—Wash. Hamilton; he told it there at the meeting that Derry Brown was making some threats up there, and Captain Kehoe [or Keo] did before; he said that Derry made some threats. Derry used to be a tenant of his, and he hated to tell it, but he said he would have to do it.

Q. What threats did Derry make?—A. I do not know.

DOES NOT KNOW WHAT THREATS DEERY MADE.

Q. Was it understood that these people whose names were handed in and put in this agreement that you signed were people who created the disturbance in the district there, and were turbulent persons who tried to get up trouble in the community?—A. Was that the understanding, that they was the ones that created the trouble?

THE OUTLAWED NEGROES TO BE DELIVERED TO THE WHITE MEN AT ROLLING FORK.

Q. Yes, sir.—A. I will answer, it was not; these young men you find there, they escaped. This agreement was made, to my knowledge, on Tuesday, and they was after these men a Sunday, and these men got away; and I remember I got up in the committee, I think, after that paper was written, and told them that I did not know any men of mine; that I would not become responsible if anybody was absent from the plantation, or were gone; and they told me all they required of me was that if they came back there, if we didn't carry them to the law, we was to deliver them to the white men of Rolling Fork.

Q. Were they regarded as people who ought to have been taken up and brought to the law for the disturbance that had occurred?—A. Yes, sir.

Q. If these men who fled away came back again you were to have them arrested?—A. Yes, sir.

NAMES OF NEGRO PARTIES TO THE AGREEMENT.

Q. That was understood. Was P. H. Johnson, whose name is signed to this paper, one of the men who was up there that day?—A. Yes, sir.

Q. Robert Roan?—A. Yes, sir; I know that he was there.

Q. And Wash. Hamilton?—A. Yes, sir.

Q. And Aaron Dean?—A. Yes, sir.

Q. Sam Jones?—A. Yes, sir.

Q. Jerry Carson?—A. Yes, sir.

Q. Jack Hill?—A. Yes, sir.

Q. Andrew Hoy?—A. Yes, sir.

Q. Levi Jones?—A. Yes, sir.

Q. W. D. Brown?—A. Yes, sir.

Q. I. T. Casey?—A. Yes, sir.
Q. Were they all colored men?—A. Yes, sir.
Q. And they had all assembled there?—A. Yes, sir.

NEGROES INTENDED TO KEEP THE AGREEMENT.

Q. Was it understood that you represented the respectable portion of the colored people in favor of peace and order?—A. Yes, sir.
Q. And that you designed on your part to do all you could do to have peace kept in the county?—A. Yes, sir.

WHITE MEN WERE EXPECTED TO KEEP THEIR AGREEMENT.

Q. And the white men designed to do all they could on their part toward the same end?—A. That was the understanding; yes, sir.
Q. That was the understanding of the paper?—A. Yes, sir.

LEW PARKER AFTER HE WAS SHOT.

Q. Do you remember a black man named Parker?—A. Yes, sir.
Q. Who was he?—A. A justice of the peace.
Q. Did you see his body?—A. Yes, sir.
Q. After he was shot?—A. Yes, sir.
Q. Did you examine his clothing?—A. Yes, sir.
Q. Did you find a letter on him?—A. Yes, sir.
Q. Who was it written to?—A. To a man that lived in district No. 1, on the Mississippi River, at Dumbarton.

PARKER EXPECTED A FIGHT.

Q. What did that letter say?—A. He wrote to a man named O'Brien, and the letter said that they were expecting that they would have a fight here, and asked him did he think he could aid him in it.
Q. Did he ask him anything about getting a party to come down there and aid him?—A. No, sir; that was not in the letter.
Q. What else did he say about any one's coming besides O'Brien?—A. No, sir; that was written just to O'Brien.
Q. Who was O'Brien?—A. He had been a magistrate on the river.
Q. A colored man?—A. Yes, sir.
Q. How far was he away; where was his post-office?—A. At Dumbarton, on the Mississippi River, and Parker lived way up on Deer Creek.
Q. On the other side of Deer Creek?—A. Yes, sir.

NO PREVIOUS TROUBLE WITH THE WHITES.

Q. Did you ever have any trouble until this with the white people?—A. No, sir.
Q. You got along kindly with them?—A. Yes, sir.
Q. Were you ever assaulted by them, or injured in any way?—A. No, sir.

GOOD DISPOSITION OF THE WHITES.

Q. What has been the disposition of the white men of that county toward your people there, as a rule?—A. Well, sir, the most of them—I will say right there, the colored people who kept themselves in respectable places and attended to their business were respected there as well as I expect the colored to be respected by the white people, clear up to the time of the riot; and the ones that laid about and drank was not thought much of by the white people.
Q. Is that not your own feeling toward people? Don't you feel more respect for the man that is quiet and orderly than you do for one that runs around and does not do any work?—A. Yes, sir; the white people were very familiar there with the colored people.
Q. Have you any fault to find with their behavior toward you since

you have been a justice, and since you have been living there?—A. No, sir. I have been there since 1866.

Q. Were you there during the canvass and election of 1875?—A. Yes, sir.

EVERYTHING VERY QUIET INDEED.

Q. What was the condition of things during that canvass and election?—A. Everything was very quiet indeed.

Q. Did anybody interfere with your right to vote?—A. No, sir.

Q. Nobody attempted to frighten or intimidate you?—A. No, sir.

Q. The colored people all voted as they wanted to?—A. Yes, sir.

Q. You carried the county?—A. Yes, sir.

Q. And elected all the officers?—A. The time the blacks wanted me to run—everybody else was elected but me; they wanted me to run, but I did not run.

WITNESS KNEW OF NO THREATS.

Q. Do you know about Charlie Brown making threats there?—A. No, sir.

Q. Do you know anything about Charlie Brown exerting himself to get up this conflict between the colored people and white people?—A. I don't know a thing about that. I know that Mr. D. B. Ball came before me and made an affidavit that Charlie was doing so.

REV. MR. BALL'S AFFIDAVITS.

Q. What did he charge him with?—A. Charged him with inciting people to riots; and I issued a warrant for Charlie, and I could not reach him. Him and Derry both escaped.

Q. Did you issue a warrant for Derry, too?—A. Yes, sir; the first time he came and made a single affidavit, and the next time he came back he made a joint affidavit against the two.

Q. He first made an affidavit against Charlie, and then came and joined Derry in it?—A. Yes, sir.

Q. He charged them with inciting riot?—A. Yes, sir; that was the affidavit, and I issued a warrant for them, but they escaped; and since that time Derry was arrested over in Vicksburgh by a man named Groom, I was informed. Derry told me that was so hisself.

DERRY BROWN ARRESTED IN VICKSBURGH.

Q. Was Derry ever arrested under that warrant?—A. I think he was.

Q. Was he brought before you?—A. He was not, sir.

Q. Who was the constable that arrested him?—A. Mr. Groom. He is a white man. Derry told me that Mr. Groom sat down and talked with him a good while, and then went out and left him there, and come back with a couple of policemen there and arrested him; and he gave bonds for his appearance at the circuit court. He would not agree to go on the Creek to be tried.

Q. Was that in Vicksburgh?—A. Yes, sir.

Q. Do you suppose, now that these men who have left the county are out of the way, you will have any more trouble there at all?—A. Have any trouble now?

Q. Yes, sir.—A. No, sir; we did not have any trouble before that riot.

Q. Has it all been quiet since?—A. Yes, sir.

NAMES OF NEGROES WHO HAVE NOT RETURNED TO THEIR HOMES.

Q. Everything is peaceable there now?—A. Yes, sir; some of the boys are back home.

Q. Which ones have come?—A. Evans Brown.

Q. Who else?—A. William Dean has come back.
Q. Has Frank Anderson come back?—A. Yes, sir.
Q. Samuel Brewer?—A. No, sir; he is in Warren County.
Q. Fred Bell?—A. No, sir; he ain't back; he is in Vicksburgh.
Q. Bill Hughes or Jones?—A. He ain't back.
Q. Jim Robertson?—A. He ain't back.
Q. Jack Williams?—A. He ain't back.
Q. Silas Baldwin?—A. He come back about three or four weeks ago.
Q. George Williams?—A. He ain't come back.
Q. Warner Meyers?—A. He ain't come back neither.
Q. John Hopkins?—A. He ain't come back.
Q. Have the others that have come back gone to their work again?—A. Yes, sir.
Q. Have they been disturbed at all?—A. No, sir.
Q. Any warrants been issued for them?—A. No, sir.

NEGROES WHO HAVE RETURNED ARE NOT DISTURBED.

Q. How long have they been back?—A. William Dean has been there long enough to have got his crop; he come back in March. Evans Brown come back in March or April.
Q. They have been up there for the last two or three months?—A. Yes, sir; all excepting Silas Baldwin; he come back about four weeks ago.
Q. Have you seen them frequently?—A. Yes, sir.
Q. They are moving about as usual?—A. Evans Brown and William Dean lives right on the place with me, and Silas lives on Captain Moore's plantation down below me.
Q. Is there any disposition to disturb them at all?—A. No, sir.

CHARACTER OF BOWIE FOREMAN.

Q. Do you know a colored man by the name of Bowie Foreman?—A. Yes, sir.
Q. Is he a sober man?—A. No, sir.
Q. What kind of a man in his behavior and character is he?—A. Well, Bowie in his character and behavior—all the white people and black people, too, likes him; and he will get drunk and cuss; and when whisky was in him anybody never took any notice of what he said, neither white nor black; but everybody liked him; and Bowie could do more, I suppose, than nary other black man on the Creek with the white people; they did not take any account of Bowie.
Q. Is he a reliable man?—A. No, sir; he is drunk a good part of the time—tight. I would not take his word hardly for anything.
Q. You think he is not very trustworthy?—A. No, sir.

CROSS EXAMINED.

By Mr. CAMERON:

Q. On whose plantation do you live?—A. David Hunt's.

PERSONAL RECORD.

Q. How long have you lived on Hunt's plantation?—A. I have been there three or four years.
Q. Do you rent land of Mr. Hunt?—A. Yes, sir.
Q. How much land do you rent and work?—A. Some years I rents thirty-five or thirty-six acres, and some years not so much. I rents land just according to what I can get hands to work.
Q. What crop do you raise?—A. A pretty good crop every year.
Q. What?—A. Cotton and corn, and potatoes and beans, and so on.
Q. About when did you first hear anything of the troubles in your

neighborhood last fall?—A. Well, it was about the last of November or the first of December, when I first heard; it was long in the latter part of November, to my knowledge now, that I heerd of it.

Q. You may go on and state all that you heard about that, and all that was done, so far as you know.—A. You want me to state what I heerd?

WITNESS TELLS THE CAUSE OF THE TROUBLES—HOW ALEXANDER WAS KILLED.

A. State about the troubles; just tell the story in your own way.—A. All about what I heerd about it?

Q. Yes, sir.—A. I just heerd that there was a white man and a black man—now I don't know this—I only heard that the white man and the black man got into difficulty at Rolling Fork, and that the black man beat the white man; and the next day, on Sunday morning, they wanted to arrest some of the boys in the place, and one of the men named Casey, he had his pistol, and he went to hit a black man over the head with it, and the pistol fired and killed a white man named Alexander; and they said that the negroes was the occasion of him getting killed, as I heerd.

Q. Of Alexander getting killed?—A. Yes, sir; and from that I heerd from them men up there that week, that they had made one or two arrests up there.

CORNELIUS MURDERED.

Q. All black men?—A. Yes, sir; had arrested one or two black men, and the black man what they arrested they taken one day—a fellow named Cornelius—and they shot him down. That is what I heerd.

Q. Did the white men shoot this man Cornelius down?—A. Yes, sir. They took the other men on before a magistrate named Smith. They went there and examined his tracks, and they said he was shot down right in his tracks; and I heerd he was running, the reason he was shot.

NEGROES ARRESTED.

Then they arrested Parker and Brooks and carried them up there, as I heerd. There was two Brookses, one named Arthur and the other Frank, and Frank told me these words himself: they had arrested his brother and he was permitted to go along with his brother. They told him he could go without any fire-arms. They locked him up in a house all night, and they would not let Frank come there except he carried some coffee or something, and would not let him stop there with him; and they carried him before Smith the magistrate on a charge, and somehow or another they were released under bond, and they turned them loose; and on Saturday they were to have a trial, and they didn't have a trial; and on Sunday morning they came up there—the white people, so I heerd—and called them out of the house, got Parker and Brooks, and fotched them down as far as Hunt's and Elgin's store, and left them in charge of some white men until they went down and got the other boys, Moses Johnson and Rufus, that they heerd was indicated in the fuss, and they staid there until they went down and got them boys.

Q. Now, tell us all you know about the trouble; you spoke of going to church.—A. Yes, sir.

MICKEY AND JOHNSON STOPPED BY WHITE PICKETS.

Q. You may tell that story again; you didn't get quite through with it.—A. As I said, I had been down to church and was on my way back

up to Mr. Hunt's. Me and Moses Johnson was riding along, and Mr. Clark was in the road. I rode to one side of them—me and Moses—and he spoke and said, "Moses, hold on there."

Q. Mr. Clark said that?—A. Yes, sir.

Q. Who is he?—A. A young lawyer there on the Creek.

Q. Was he alone?—A. He and a man named Theodore Keyser; and there was another man; I don't know him; he was a stranger to me.

Q. Three white men on horseback met you?—A. Yes, sir; they had guns. Mr. Keyser was sitting side-ways on his saddle, and he seed me coming, and he was trying to hide his pistol, and his coat was so short he could not hide it while he was sitting on his horse. Clark told Moses Johnson to hold on; and I stopped; I wanted to hear what he was going to say to Moses.

WITNESS LEAVES JOHNSON WITH THE WHITES.

Q. Were you on horseback?—A. On a mule.

Q. Was Moses on horseback?—A. He was riding a little mare filly. I staid there and Mr. Clark told me that Mr. Barrow wanted to see me up there at the gate, and I went on up there.

Q. That was your gate?—A. Yes, sir; going to the quarters. I went up to the gate and Barrow met me, and he said, "Your name is Mickey?"

BARROW'S TALK WITH WITNESS.

Q. Where did you leave Moses?—A. With Mr. Clark and Theodore Keyser, down the road there. He says, "Your name is Mickey, ain't it?" I says, "Yes, sir." He says, "I heard that you are the man that is indicated in the fuss down here." I says, "Not me."

He says, "Your name is Mickey, ain't it?" I says, "Yes, sir." He says, "You are the man." I says, "Look good; you may be mistaken in the name. I writes my name D. M. Mickey;" and he says, "You are the man."

"ARRESTING MEN AND TURNING THEM LOOSE DON'T PAY."

I says, "There is some mistake about that. I don't care who said so; they told a lie; be he white or black. I can prove it by everybody that I have been trying to keep peace here;" and he called me up afterward and said just this way to me, "Don't you mind me speaking to you that way. We have got your recommendation from the Barefield colony clear down; there is nobody coming to hurt you. I spoke to you so to let the rest of them see that there is no difference in the way that I speak to you. Nobody is going to hurt you; but it is these fellows that talk about killing white people and burning up their gin-houses. There is only one way to put a stop to it; arresting men and turning them loose don't pay." Those were the words he said to me; and they went along down the road.

Q. Who went down the road?—A. These white men.

Q. The three white men?—A. There were ten at the gate. Mr. Barrows asked me if the boys down here wanted to fight.

WHITE MEN ARMED.

Q. Were they all armed with guns and pistols?—A. Yes, sir; some had double-barrel guns; some had these needle-guns, as they claimed. I never seed no needle-guns, to my memory, but they said these was needle-guns.

BARROW OFFERS TO FIGHT TEN WHITES AGAINST A HUNDRED BLACKS.

Mr. Barrow said, "If you men want to fight, we have but ten or so

here, but we are ready to fight one hundred ;" and the boys, says they, "We are not ready for a fight." They didn't want any fight.

Q. Whom did he say that to?—A. To some of the boys assembled together.

Q. Colored boys?—A. Yes, sir; a parcel of them—Warren Crump, Colbert Williams, and John Carson, and William Crump there, and they stopped them at the gate, and would not let them pass down the road.

And these negroes and some of the white men came there to hear what the people would say. They said, "We are prepared to fight one hundred of you if you want to fight," and they passed on down the road.

NEGRO MURDERED ON MOORE'S PLACE.

And there was a man living on Captain Moore's place, a place called Cammack place; and the man started to run when he saw them coming. I don't know his name. He was a man picking cotton there, from Vicksburgh. And these white men shot him.

Q. Did they kill him?—A. No, sir; they didn't kill him. He laid there in a house pretty nigh about two months; shot him in the back part of his thigh. That occurred, as I was informed, down there; but I don't know of these facts myself.

Q. Where was this colored man?—A. He was in the road, so I was told, and he saw them coming, and he broke and run, and then they shot him. And they went on down to Mr. Watson's, and returned that evening; and when they came back they gathered the boys up as they came along; all that had been in this fuss.

THE WHITES GATHER THE NEGROES—JOHNSON TAKEN.

Q. The white men were gathering up the colored boys?—A. Yes, sir. As they started away they came and demanded of Moses Johnson to get on his horse. I know a man named Judge Powell called Moses to the pickets, and he came there, and he said, "Come outside," and he got outside.

And when Moses started out of the yard he took off his watch and gave it to his wife. And they told him to get on his horse, and he got on his horse, and they started off with him.

WHITE MEN IN THE WOODS LIKE SCOUTS.

Q. How many white men came and took Moses away?—A. There were about ten or twelve there. There was over one hundred white men around there, but there was only that many guarding Moses—ten in that company; because after these white men had gone down the road I was standing on the gallery of the wood-house and I seed about thirty or forty riding in the edge of the woods. They came out of the woods in the opening just like scouts.

Another man named Joshua Sanders, he was down there, and he said that about fifty or sixty had come through the cotton-patch there, and he was hiding; they were armed and on their way to Mr. Watson's.

There was ten of them went down in the public road and the balance of them went along the edge of the woods on each side of the creek. I seen the ones that was on the west side of the creek with my own eyes; but I never seen the ones on the east side at all.

Q. How many did you see yourself?—A. I counted about thirty-five or forty of them that I seed myself. They went on down to Mr. Watson's, so I was informed—I don't know how far they went; and they turned back that evening.

MOSES JOHNSON MURDERED AFTER HE HAD A PAROLE.

Q. These white, armed men?—A. Yes, sir; they came back that even-

ing; some came back before night; and Mr. Barrow, when he returned from down the road, Moses Johnson went to him and carried him a parole that Mr. Elgin gave to him. And they turned him loose—that was the second time that they had turned him loose; and the third time when they taken him, they started away with him to fetch him back to Mr. Hunt's house, and kept him until just about day on Monday morning, and took him out in a field and killed him.

I was as wide awake as I am now when the men fired. I had no idea in the world that they were going to kill them at all.

And when the men were going away Mr. Robertson called up to my door, and he called me out and told me not to be uneasy, that there was nobody going to hurt me; that they were going to protect me; and if I saw Frank Anderson to tell him to come back.

NEGROES LEAVE FOR FEAR OF THEIR LIVES.

Q. Who was Frank Anderson?—A. A colored man. He heerd that they were going to kill all them that went up there to the store that Sunday, and he ran and got away; but they got hold of him; and several of the boys left; and Mr. David Hunt got a good many of them to come back by writing to them.

Q. What did they go away for?—A. They heerd that they had their names enrolled on a piece of paper; that they were indicated, and had taken a part in the fuss; that they were in the riot, and they said they were going to kill them.

And I know that Fred Bell has been wanting to come back home; and he wants to come back now, but he is afraid to come. He applied to Mr. David Hunt to come back—he stays on his place—and Mr. Hunt wrote to him to wait until he could get the thing fixed, and he would let him know when he could come home. And he got one or two letters from Fred saying that he wanted to come home; and he written to him that he didn't know what to do, because, he said, "I hardly know what to do myself."

The people here, they is frightened yet, and they are afraid of them arresting them for this riot; and it will be so for many days.

WHEN JOHNSON WAS MURDERED.

Q. What time did they kill Moses Johnson?—A. Just about day.

Q. Monday morning?—A. Yes, sir.

Q. They had arrested him twice, and turned him loose?—A. Yes, sir; they arrested him as he came up the road, and after he went and got his parole, Mr. Barrow looked at it, and turned him loose again.

ABOUT JOHNSON'S PAROLE.

Q. What did you understand that parole to be?—A. It was said that it was a parole from Mr. Elgin, that it was all right. Mr. Hunt and Mr. Elgin had stopped them up there at the store, and they settled up their difficulties then; they came on up to the store toward Rolling Fork, so I was informed. Moses told me himself how they came to call his attention up there to these men getting killed there, and he called for assistance to go and see; and he said he would not go without his arms.

And Mr. Elgin and him fixed it up there, and he became personally responsible for the boys that was with him. And Mr. Elgin told Moses that the white men were going to hold him personally responsible if there was to be any more difficulty down here; and when they heard of the fuss, they taken Moses and went to Mr. Hunt's.

JOHNSON'S CHARACTER.

I did consider that by Moses becoming responsible for those fellows

down there he was killed. He was not any other way but a straightforward man, and always attended to his own business.

Q. Did you ever hear of Moses doing anything wrong?—A. No, sir.

Q. Did you ever hear him threaten to do anything wrong?—A. Not before that Friday morning.

JOHNSON'S THREAT.

Q. State what he said that Friday morning.—A. He told the boys to fall in with their guns, and, "Come and let us see about that; there ain't but one way to stop them, but just go and kill them and burn them out."

Q. What had he heard that the white people were doing to the colored people?—A. They said they were killing them. They had shot some men up there; they had killed Cornelius, and had Parker and Brooks under arrest, and a message came that they were going to kill them.

This was Friday morning, and they had heard every day about the white people killing them ever since the fuss that was started on Saturday night before.

WITNESS'S ADVICE TO JOHNSON.

I said, "You had better go up there in a quiet way without any arms; you have got nothing to fight with. You all talk of arms; you have got nothing to fight with, and you have not got sense enough to know it. You have got some old double barrel shot-guns, and some of them hain't got but one hammer; and the white folks have got needle-guns and a plenty of ammunition. If we can't protect ourselves we will apply for protection. There is no use for us to start a fight, for we have got nothing to fight with. It is no use talking about whipping the white folks, for we have got nothing to fight them with. If we can't protect ourselves it is better for us to make an application for protection."

And they said they were going to see if they could not find out what was the matter, and how many boys had been killed.

Q. How long had you known Moses Johnson?—A. I have known him from a boy, about fifteen or sixteen years. He was only about twenty two or twenty-three years old.

Q. What had his character always been?—A. He had always been a nice man. In that vicinity everybody, white and black, liked him.

SIX NEGROES MURDERED IN ONE NIGHT.

Q. What other colored men were killed there at that time besides Moses Johnson?—A. There were six killed; three killed in one spot and three in another, that night. Rufus Heyward was a very high-tempered boy, and he was a good-conditioned kind of a fellow. Anything that any of them wanted him to do at any time he would go and do it for them. Nobody took any account of what he said any time.

CHARACTER OF THE MURDERED NEGROES.

He was always ready to do anything if needed, and was always talking about fighting and who he could whip, but he never did whip or fight anybody; and nobody didn't take any account of him. I know I made him ride twenty-seven miles for a drink of whisky, and he was gone there a night and two days. I gave him money just to go and get some whisky, and he went for me; and he would have done that way any time for Mr. Hunt. He would leave his work any time and go for him. He was just a good-conditioned fellow.

Q. How about Wade Hampton?—A. I was not acquainted with him, but he was always blowing mightily when he got a drink of whisky in him.

I was acquainted with Parker and them. I was very well acquainted with their disposition. It was claimed in that part of the neighborhood that they were the leading men up there, and they was hunted on that content, because they could see into a great many things that the other colored people could not, and that the white people didn't want them to know about.

Q. Parker and Brooks were killed on that account?—A. Yes, sir.

Q. You understand that the white people didn't like them, because they were leading men among the colored people?—A. Yes, sir; I never heerd them say so.

I heerd the white people say that they wanted to get all the negroes that had an education—all of them that knowed anything—they intended to get hold of them, and they wanted to kill all of them that could read and write and all the brave men. That was what I heard. I never heerd them say so myself.

Lewis Moore, he was accounted to be a very brave man, and they killed him, I know. I never heerd anything disrespectful of him. Two or three weeks before the riot he brought a suit against Dr. Clements, and when the riot came up the case was in the docket for trial. I never heerd anything disrespectful about him until after he was killed.

NEVER HEARD THREATS BEFORE FRIDAY MORNING.

Q. Did you ever hear of any colored people before these troubles commenced, threaten to kill white people, burn down their gin-houses, and kill their wives and children?—A. That Friday morning, as I have said, that was the first time I ever heerd it.

WHITES WERE ARMED.

Q. From anybody?—A. Yes, sir. Now, these facts I don't know; this is from what I heard on Sunday, that the white people were prepared and had arms, that they was going to control the election. They had their guns all in readiness and had ammunition, and this was on Friday; and what led me to believe it was, because on Friday this difficulty had happened, and if they had not been prepared they could not have had needle-guns and pistols Sunday morning at Mr. Hunt's place.

THREATS OF THE WHITES.

A white man told me when I went up there that it was a good thing that we did go up there. He is a brick-mason; I didn't know his name. He told me that it was a good thing that we had come up there to this peace-meeting. He said they were seven hundred men I hadn't seen; and that they were going to kill every black man betwixt there and Yazoo River. His name was Powell. He told them words right in Rolling Fork; told me there was seven hundred men I hadn't seen, and it looked as if there was five hundred or six hundred men there then.

MORE ABOUT THE PEACE-MEETING.

Q. When did you hear about this peace-meeting; how long after these men were killed?—A. I think I heerd about it—I disremember whether they made their application to me to go up Monday evening or Tuesday morning; but I think it was Tuesday morning that we agreed to go up, because I never staid home Monday night. I would not be positive whether it was Monday evening or Tuesday morning that they spoke to me about it. I could not identify the time certain.

Q. Who spoke to you about it first?—A. I disremember now who it was; Dr. J. W. Ellis or Mr. Hunt, I don't know which.

Q. Dr. Ellis and Mr. Hunt are white men?—A. Yes, sir, both of them. Dr. Ellis said he wanted things stopped any while. He is a

doctor there, and waits on the parties there for his money for twelve months, and he said he could not bear the idea of losing that much; and he was one of the men that went up in a committee to try and stop the fuss.

Q. What happened when you went up there, and who went up there with you?—A. There was plenty others along.

Q. What colored men went up to take part in the peace-meeting?—A. Myself and Philip Johnson and Robert Roan and Aaron Dean and Sam Jones and Jack Hill; I can't recollect all of them, but they went up.

WITNESS AFRAID TO GO TO THE PEACE-MEETING UNLESS ACCOMPANIED BY A WHITE MAN.

Q. Did you have any fear about going?—A. Yes, sir, I did; and I did not go until Mr. Hunt went with us.

Q. What were you afraid of?—A. Afraid they would kill me—the white men—and I was feered when I was there, too, and until I got back home, and after that, too. If my dog barked I would get out; and 'taint been so long that the fear got off of me, but for the white people treating me nice.

Rev. Mr. BALL (colored) says, "DON'T INSERT ANY TRYING IN IT."

Q. Who spoke first at that peace meeting?—A. I think I was the first man begun the speech after Colonel Ball taken his seat as chairman of the meeting. I think I was called on by some white gentleman to get up and state the feeling and condition of the people in my part of the county; and I got up and told them what the people desired; that they desired a peace and order, and they agreed to keep all disturbances down.

Colonel Ball said to me—when I told him I was going to try—he said, "This thing of trying won't do; we don't want any trying in it. You have either got to say that you will do it, or either this 'ere thing won't be settled." That is what Colonel Ball replied to me when I was standing on the floor.

I told him in my remarks that I would do my utmost power to keep peace, and he said this 'ere trying wouldn't do—"you have got to say that you will do it; if you don't, this thing won't be settled." Then I had to obligate myself—tell him that I would do it, after he told me there was no other way. I had either to say I would do it, or things would not be settled; so I told him that I would do it.

Q. What did these other colored men say that were with you?—A. They agreed with me for to keep the peace and get order on the plantations same as I did.

CHARACTER OF DERRY BROWN.

Q. How long have you known Derry Brown?—A. I have known him ever since '68.

Q. Where did he live last fall?—A. On a place called the Kehoe place.

Q. What sort of a man had Derry Brown been considered before last fall?—A. A good man; I never heard any fault of Derry Brown. He was a hard-laboring man and always had been, and had as much as most colored people in the county.

Q. Has he property?—A. Yes, sir; as much as any other colored man in the county.

BROWN HAD MADE NO THREATS—WAS NOT AT HOME.

Q. Had you ever before that time heard that Derry Brown had made any threats to do any harm to anybody?—A. No, sir; to my own per-

sonal knowledge he was away when this difficulty came. When the first we ever heard of it, he had just come from Rodney, Miss., that Sunday, and this difficulty happened before he knew anything about it. He was not at home when the difficulty took place.

CHARACTER OF CHARLIE BROWN.

Q. How long had you known Charlie Brown?—A. I hadn't known him so long as Derry; I had known him five or six years anyhow.

Q. Where did Charlie live?—A. He lived there with Derry, that is with his brother.

Q. What kind of a man was he?—A. He did not stir around much, but Derry was one of those kind of fancy fellows who was always stirring around. I did not know much about Charlie, but he appeared to be a peaceable man. He did not talk very much.

Q. Staid at home, did he?—A. Yes, sir.

CHARACTER OF BILL HUGHES.

Q. Do you know Bill Hughes?—A. Yes, sir.

Q. How long have you known him?—A. Four or five years.

Q. Where did he live?—A. Last year he lived on Moore's place—these plantations were divided last year—it was always called Watson's place.

Q. What kind of a man was he?—A. One of the drunken fellows.

COLORED PEOPLE THERE NOTHING TO FIGHT WITH.

Q. Anybody ever pay much attention to him?—A. No, sir; he was drunk the day he came up to my house with the boys; I called him in there and sat down and talked to him, and told him that was not the way; there was a way to put a stop to these things, but that was not the way to do; that the colored people had nothing to fight with; the white people had bought the ammunition and all the guns and all that thing; that we must try to protect ourselves with the law, and if we found that we could not and that we were imposed upon, to apply for assistance first before we talked of fighting. I talked to him over an hour. I cannot remember what remarks I made now; but them was the remarks.

Q. Was that after these men had been killed?—A. No, sir; before—on Friday evening.

FEARS OF WITNESS.

Q. After the fuss had commenced?—A. Yes, sir. There was no white men, nor fuss, any more than these white men coming down there, because in the night I was sitting down in my house with my wife and a young lady and a young man named Carson, and he says, "Brother Dave, you had better keep your eyes open to-night, for these white folks have sent to Rolling Forks to get them to come down there." As soon as he told me that I got uneasy, and everything was in such an uproar that I said, "I believe I will go to the house and see Mr. Hunt;" but my wife did not want me to go. She said, "Somebody will shoot you." I said, "Let them shoot me, in the name of God; I am going over there to see."

WITNESS PROMISED PROTECTION.

It was pretty late in the night, about 9 or 10 o'clock, and as I walked by, I believe, Mr. Hunt came out with his slippers on, and he says, "Who is that?" And I says, "It is I." He says, "Is it Dave?" I says, "Yes, sir."

I says, "Mr Hunt, I have been informed by John Carson that white men would be down here, and I want protection."

Says I, "I have been trying to keep peace here, you know I have; I have done all I could do, and if the white men come down here they do not know me from anybody else, and I am just as likely to be killed as anybody else."

He says, "Dave, you shall be protected. You or any of the rest of the men that had nothing to do with this fuss, just tell them to come over here, and you can stay in the house with me. I am going to protect you that had nothing to do with this fuss; but the ones that has been engaged in it, I can't protect them. If they asks me about it, I am going to tell them the truth about that; for if I lie to them I will bring myself into difficulty."

The white men came down Sunday morning. I heerd them coming to Hunt & Elgin's store during the night; but I don't know; but I seed them myself Sunday morning.

NO DISTURBANCE SINCE THE NEGROES RETURNED.

Q. Senator Bayard asked you if these men who have come back to live had been disturbed since they came back?—A. No, sir.

Q. I ask you if they have disturbed anybody since they have come back?—A. No, sir; they ain't disturbed anybody since they came back, not to my knowings.

Q. You have not heard anything of their disturbing any one?—A. I have not heerd of any one.

Q. They have gone on about their business working there?—A. Yes, sir; tending to their business just the same as I do.

ABOUT THE MURDERED NEGROES.

By Mr. McDONALD:

Q. You said that there were three killed at one place and three at another?—A. Yes, sir.

Q. Who were the others that were killed at the same place where Moses Johnson was?—A. Moses Johnson and Rufus Heyward, and Wade Hampton.

Q. The other three were Parker, Brooks, and Lewis Moore?—A. Yes, sir.

Q. Now, had not Rufus Heyward and Wade Hampton arms going up to Rolling Fork?—A. I don't know whether Wade had or not.

Q. Who was with him?—A. Rufus Heyward, Frank Anderson, and another man, William Dean, and David Jackson; they was the ones that started up there toward Rolling Fork. They all stopped at Hunt and Elgin's store, and they drank it off and made friends. The boys told me that they drank two or three bottles of bitters up there.

Q. (By Mr. CAMERON.) That was on Friday?—A. Yes, sir, Friday.

By Mr. McDONALD:

HEYWARD AND JOHNSON ARMED.

Q. Then Heyward was with Johnson when he started up?—A. Yes, sir.

Q. Did they have guns?—A. Yes, sir.

Q. Was Parker, Brooks, or Lewis with them?—A. No, sir; they live way up the creek.

Q. They were concerned in the Rolling Fork difficulty, were they not?—A. I don't know, sir; I heard the reason that they were pursued—that they were trying to make up companies to fight the white folks.

Q. Parker is the one on whose person you found a letter?—A. Yes, sir.

CHARACTER OF WADE HAMPTON.

Q. You say Wade Hampton was a noisy, bragging sort of a fellow?—A. Yes, sir.

Q. Always talking about what he would do?—A. A kind of boasting fellow. When he got a drink he would talk big talk; blow off what he could do.

Q. When he talked did he use any threatening language toward any person?—A. To some of the boys, he would tell them what he would do to them; but Wade was not with Moses Johnson that morning. I never heard any demonstration that Wade made at all during that riot.

HAMPTON TAKEN BY THE WHITES.

Q. He was one that was killed at the same time that Moses Johnson was?—A. Yes, sir; he was fetched from Mr. Watson's place, cause when Wade came along my wife was so excited she run me in the house; and a white man was riding right behind Wade; I had to stop to look at him; and Wade said "How do you do, Dave;" and I said, "I am well, I thank you." I know it was him, and the white man was riding right behind him, and the white man was named Maxwell. He had Wade, guarding him.

WHERE HAMPTON AND JOHNSON WERE MURDERED—HAMPTON SHOT IN THE BACK.

Q. How far was that from the place they were found killed the next morning?—A. They was going into Mr. Hunt's yard then; and the way they had to go to where they were killed is nigh about half a mile, if not farther. They were killed in the lower end of a cotton-field, next to a cottonwood thicket. They rode across in the field, and by the way they were laying, I think Wade was the first one that they killed, and Moses Johnson was the next one. Wade, when he was shot he was shot in the back, and he attempted to run, and he stubbed his foot—caught his foot, and the way he fell he fell on his face, and he was shot in the back. He was making for the thicket then.

WHAT BILL HUGHES WANTED TO DO.

Q. What was Bill Hughes saying when you told him that it would not be worth while to talk about fighting; that you did not have guns?—A. He asked me what to do, and why I would not have them men arrested, and I told him just this: "That I knew nothing about it, and had no understanding about the matter, and that they had better make themselves easy until they found out about it."

Q. Was he talking about fighting?—A. No; he said he wanted to go up there and see how it come that them men were killed. He said that they had a right to go and see. And he said that I had a right to look after it.

Q. I thought you heard him talking about fighting?—A. Because all them came up there, some with guns and some without guns.

Q. They were all more or less talking about fighting, were they?—A. They were on that Friday evening, because there was drinking going on. I says, "Let us apply to the sheriff, and see if he cannot protect us. I reckon if we are imposed upon he will make application to the governor, and stop this thing."

I remember Bill says, "Why don't you send somebody?" I says, "Well, you heard the fuss; you know as much about it as I do, why don't you send?" He says, "I don't know nothing about it. I can't go." Says I, "I don't know who is in fault and who ain't. If I undertook to do something I might start wrong about it." And I told him if they wanted to know, to go to Rolling Fork and see.

Q. Did you tell them to go without arms when they talked about taking arms to fight it out?—A. Yes, sir.

Q. You told them if they went up there they had better go without arms?—A. Yes, sir.

Q. And they talked about taking arms and fighting it out?—A. No; they did not say that they would have to fight it out. They said that they would not go without guns, because they had been killing men up there, and they would kill them. Moses Johnson said he would not go without arms; and he said he was going to carry his arms. He said, "They have been killing us colored long enough, and the only way to put a stop to it is to go up there and kill them, and burn up their place."

"PATCHING AIN'T GOING TO STAND."

Q. Did you hear it said at the time of this peace convention that Derry Brown said that he would not make peace except on certain terms?—A. No, sir; I never heerd Derry say any such thing. I will tell you what I did hear him say in the presence of Mr. Elgin. Derry said, "It would never do to take men out that way and slaughter them, as these men was slaughtered and killed up there." He said, "You can all go to Rolling Fork and patch it up now, but that patching ain't going to stand." And that is why they put him in jail.

Q. In that conversation did he say anything about having an equal number of white men killed to make it even?—A. No, sir; I never heerd him say so, and never heerd that he said so.

WHAT NEGROES WENT TO ELGIN'S STORE.

By Mr. CAMERON:

Q. What colored men went up to Elgin's store on Friday morning?—A. Moses Johnson, Rufus Heyward, Frank Anderson, Wilson Whiting, David Jackson, and Wm. Dean. They started out of the quarters; I don't know whether they went to the store or not.

Q. Did you understand that they made up the trouble?—A. Yes, sir; that they made up the trouble and they drank, for Mr. Elgin treated them. They said that they had misunderstood how the fuss was, and then Mr. Elgin treated the boys to bitters up there.

NO NEGRO ARMED ON SUNDAY.

Q. Did any of the colored boys that you spoke of have arms on Sunday when you saw them?—A. No, sir; not a one; not a man had any arms.

HAMPTON TAKEN FROM HIS HOUSE.

Q. Wade Hampton did not have any when this man was driving him before him?—A. No, sir; Wade Hampton was sitting in the house when he was arrested.

JOHNSON TAKEN WHILE GOING TO CHURCH.

Q. Moses Johnson had no arms?—A. No, sir; to my certain knowledge he did not have none, because I was with him; I and him were going to church.

NO NEGRO COMPANIES.

Q. Do you know of any companies that were got up by the colored men for the purpose of fighting the white men or burning or destroying their property?—A. No, sir; I don't.

Q. Did you ever hear of any such thing?—A. No, sir; I never heard of any company at all, and I actually do believe at that time, after them white men killed them men, they staid on that creek there two or three days.

HUNTING FOR "THE BOYS" A WEEK OR SO.

Q. The white men staid there?—A. Yes, sir; they killed them Saturday night, and they were around Mr. Hunt's quarters looking after these other boys a week or so; they were hunting them at night. I know that Colonel Ball said that we might make ourselves contented, because there was no one going to bother us; and when I seed these men, it didn't frighten me the least bit, because I supposed they were looking for those boys. They were coming around and standing around the men's houses that runned off, trying to catch them.

Them facts can be proved by every person on Mr. Hunt's plantation.

By the CHAIRMAN:

Q. Is Colonel Ball in this State now?—A. No, sir; I don't think he is.

Q. Is Mr. J. H. Robinson here?—A. Yes, sir.

Q. Is Mr. Elgin here?—A. Yes, sir.

WHITES AT THE PEACE-MEETING HAD THE NAMES OF NEGROES ON RECORD.

By Mr. MCMILLAN:

Q. Up at the peace-meeting, did you tell the white people who the bad men in your community were, or did they tell you who the men were that they wanted?—A. They spoke and said them men what had made their escape—I did not tell them nothing, for they had the names all on the record.

Q. They had the names there and told you these were the people?—A. Yes, sir; those were the fellows they wanted to get hold of.

Q. Did you tell them any names?—A. No, sir; I did not tell them about there being any dead men.

Q. Are there any colored men from the creek here now?—A. Yes, sir; Jackson is here, and another man named Harrison Smith, and a boy named Ira.

WHITES IN LINE OF BATTLE AT THE PEACE-MEETING.

Q. Did the white men at that peace meeting have their arms?—A. They had guns; they were in line of battle, and we could not pass them until they halted and presented arms.

NEGROES NOT ARMED.

Q. Were the black men armed?—A. No, sir; not a man. We were guarded up there by a man named John Clark. He had a needle gun. We left two or three squads of white men below at Mr. Wright's gin-house.

ABOUT COLONEL POWELL.

I remember Judge Powell said, "I wish you to go up there and settle this thing. I have not slept any for eight nights past." He said he was tired of laying awake that way. That was on Tuesday morning.

By Mr. BAYARD:

Q. Where does he live?—A. He stays about Rolling Fork, about Deer Creek somewhere.

Q. What does he do?—A. He is the landing-agent at the landing—steamboat-agent.

Q. He told you he had not slept any for eight nights?—A. Yes, sir.

Q. What do you suppose kept him awake?—A. I don't know, sir.

Q. What had created a feeling to keep him awake?—A. I don't know what had created a feeling. It was on Friday morning they was killed, and it could not have been eight days from Friday to Sunday morning.

DID NOT KNOW THAT THE WHITES WERE ALARMED.

Q. Did you learn that the white people were very much alarmed there, from apprehension of these colored folks coming up?—A. No, sir; I did not know a thing about that.

Q. Do you know Mr. W. D. Brown, a white man, who was examined ahead of you?—A. Yes, sir.

Q. Where does he live?—A. A mile above Rolling Fork.

Q. Have you known him well?—A. I never was acquainted with him until I got to be a magistrate. I knew him, but I never had any dealings with him.

W. D. BROWN FRIENDLY TO THE NEGROES.

Q. Are his relations friendly to the colored people?—A. Yes, sir; as far as I know of him he has always acted well toward us.

Q. Are you considered there, among your people, one of their leading men?—A. Yes, sir.

EDUCATION OF THE WITNESS.

Q. Have you some education?—A. Yes, sir.

Q. Can you read and write pretty well?—A. Yes, sir.

Q. Copy your own writs—make them out?—A. Yes, sir.

Q. You can write?—A. Yes, sir.

Q. Can you read writing?—A. Yes, sir.

Q. Do you have any trouble in any way with white people there?—A. No, sir.

Q. No annoyance or interference with you?—A. No, sir.

WAS NEVER ANNOYED.

Q. Anything to make you feel insecure or afraid?—A. No, sir; no trouble in any way. I came out of the Army in the fall of 1866. I never had any difficulty or any words with but one white man, and that is the white man here now, Mr. Elgin, and me and him made that up. It was on account of some little business that I did not do to suit him, and I told him I didn't ask him any odds, and he said I would not hold office on that place another year; and I told him I would hold it this year, but I didn't ask him no odds; and I told him I did not ask him or David Hunt any odds, because I had a contract for the plantation for two years; but me and him made it up afterward, and those are the only cross words I ever had with any white man.

Q. Has there ever been any interference with the execution of your processes?—A. No, sir.

Q. You have been obeyed by the white people as a magistrate without any trouble at all?—A. Yes, sir.

Q. And no interference with you?—A. No, sir.

Q. I think you stated that there was a disposition among the white people to strike down the leading men of the colored people?—A. That is what I was told; I heerd that.

ALL COUNTY OFFICERS COLORED MEN.

Q. Have not most of the officers of your county been colored men?—A. Yes, sir.

Q. The sheriff is a colored man?—A. Yes, sir.

Q. Your supervisors are colored men?—A. Yes, sir.

Q. And your members of the legislature are colored?—A. Yes, sir.

Q. And you, as justice of the peace, are colored?—A. Yes, sir.

Q. Who among the leading men have been disturbed, to your knowledge?—A. There ain't but two; they said Parker and Brooks was the worst ones among them. Parker had been justice of the peace, and Brooks he had just been elected.

NEVER HEARD WHITES MAKE THREATS.

Q. Did you ever hear any of these threats from the white people, or were they repeated to you by colored people?—A. They were repeated to me by colored people; I never heard them from the white people myself at all.

ASTONISHED TO SEE W. D. BROWN ARMED AT THE PEACE-MEETING.

By Mr. McMILLAN:

Q. Did you see Mr. Brown among these armed men up there?—A. Yes, sir. It astonished me more to see Mr. Brown there than any man in the county. The first time I saw him was just before we crossed David Hunt's bridge. I was on the opposite side of the creek, and I seed him. I knew him, and I made a remark that it surprised me more to see him in the company than anybody else. Some one says, "There is Colonel Ball," and I said "I don't know anything about him; I know Mr. Brown;" they call him Colonel Brown.

Q. Did you see the man that testified just before you did?—A. Yes, sir; I knows him just as well as I know anybody.

By Mr. BAYARD:

Q. Don't you know that he was examined as a witness just now?—A. I knowed his name was on the list yesterday, but I didn't know he had been in here.

By Mr. McMILLAN:

Q. Have you seen him in town to-day?—A. Yes, sir.

MORE ABOUT THE AGREEMENT MADE AT THE PEACE-MEETING.

By Mr. BAYARD:

Q. Mr. Brown, in speaking in reference to this agreement made at the peace meeting, said there was a blank in it, and he accounted to the members of the committee for the paper being in two handwritings—some of it—the names of these people in a different handwriting from the other part of the paper, by saying that the reason was that this blank was left until the names to go in here should be furnished. You said you did not give the names yourself of Derry Brown, Charlie Brown, Bill Hughes, and the rest—— A. That got away—was bad men?

Q. Yes, sir.—A. No, sir; I did not tell them about their being any bad men.

Q. Mr. Brown stated that this paper was prepared and the blank left in it and filled up afterward in a different handwriting, and he said the reason that blank was left was because they did not know the names of these people to be put in—these turbulent people.—A. At what time?

Q. At the time this paper was drawn up.—A. They handed in every man that escaped that they wanted to get hold of at the meeting that day.

Q. Did any of the colored men who went up there with you, either you or the rest, upon request, state the names of these different ones that were afterward inserted in this paper?—A. I got up in the committee and said that if Colonel Ball said that this thing could not be settled without we said we were going to keep the peace—they said we must not say, "We will try." I told him that the parties at home, all that were remaining at home, I believed I could control them by hard work, and I told them I would not be responsible for the parties that had gone; and they wanted to know who they were.

WHAT WAS SAID AND DONE AT THE PEACE-MEETING.

Q. Who told the names?—A. I told some of the names I know.

Q. And the others?—A. I told the names of them at Mr. Hunt's place, Colbert Williams and Warren Crump—they were indicated in the difficulty. I said I would not be responsible for Colbert Williams—that was my remark—neither Warren Crump; and Dr. Ellis got up and said, "I will be responsible for Colbert Williams;" and Mr. Hunt said, "I will be responsible for Warren Crump"— any action that he might do after he came back.

Q. Who gave the men from the Hunt place?—A. I remember I got up and said that I would not be responsible for Colbert and Warren. They had come to Vicksburgh. I don't know about any other names.

Q. Who gave the names for the Watson place?—A. I don't know for certain, but I think Wash Hamilton.

Q. He was the colored man who went with you?—A. They had a record of all these men's names whom they hadn't killed——

Q. I was not speaking of those who were killed.—A. They had a record of all the names.

Q. Who gave the names at that meeting for the people on the Moore place?—A. I don't believe there was anybody there to represent the Moore place. There was so many men that went from each place to represent the feelings and wishes of the people.

Q. Do you know who said was on the Kehoe [or Keo] place?—A. Kehoe went up there in the place of Mr. Watson. The colored men asked Mr. Watson to go. The men there, down below, said they would not go without Dr. Ellis went with them.

Q. Were or were not these names filled in after the paper was written by Mr. Brown?—A. I could not say for certain; but I think these names were put in there when they were writing that paper.

Q. Who gave in the names?—A. I could not say for certain who gave them names in.

Q. Do you know whom you gave in?—A. Warren Crump and Colbert Williams; but if I spoke of any of the others I don't remember.

Q. Who gave the rest of the names on the Hunt place?—A. I don't know, sir.

Q. Who gave the names of William Dean, Evans Brown, and Frank Anderson?—A. I don't know, sir.

Q. And Samuel Brewer?—A. He don't live on Hunt's place; he lives on Woodfork plantation.

Q. You cannot say who gave the names of the men on the Moore place?—A. No, sir.

WHITES HAD PREPARED A LIST OF NAMES OF NEGROES THAT THEY WANTED.

By Mr. McMILLAN:

Q. Did the white men at that meeting have a list of the names of the people that they wanted you to become security for—that you would keep them quiet and peaceable if they came back?—A. They had them men's names.

Gentlemen, probably you don't understand me. These men that you see their names, they was the men that they were to get them as they got Moses Johnson. We had no right to tell them their names, for they already had their names before I told them that I would not be responsible for them.

MR. BARROW HAD THE LIST.

Q. They had the names then?—A. They had the names that Sunday morning, because Mr. Barrow pulled it out and I seed it myself.

Q. Then at the meeting the only men's names that the colored men mentioned were the ones that they said they would be responsible for?—A. Yes, sir.

Q. They had all the names on the list before you came up?—A. Yes, sir.

Q. And when you came up they were armed, and presented their arms as you passed?—A. Yes, sir; they did.

D. B. BALL—ISSAQUENA (SHARKEY) COUNTY.

JACKSON, MISS., *June* 23, 1876.

MURDERS AT ROLLING FORK.

D. B. BALL sworn and examined.

PERSONAL STATEMENT.

By Mr. MCDONALD:

Question. Where do you reside?—Answer. I reside on Deer Creek—Little Deer Creek—in Sharkey County, in this State.

Q. How long have you lived there?—A. I have lived there about eight years.

Q. How far do you live from Elgin & Hunt's store?—A. I live about three or three and a half miles.

Q. Down the creek from there?—A. Yes, sir.

Q. How far are you from Rolling Fork?—A. We call it fourteen or fifteen miles. I don't know, sir, the exact distance.

Q. What are you engaged in there?—A. Planting.

Q. How far do you live from the plantation on which the colored man Mickey lives?—A. That is about three miles from where I live.

Q. Which way do you live from there, down or up?—A. I live down the creek.

Q. How far from where Derry Brown lives?—A. I live about half a mile from there. This man Mickey lives about a mile or a mile and a half from Elgin & Hunt's store, but it is somewhat in the shape of a triangle from one place to the other. I go a different road to get to Elgin's. It is the same distance to Elgin's store to where Dave Mickey lives.

Q. To what political party do you belong?—A. I belong to the republican party.

Q. Are you a native of this State?—A. I am from Illinois.

Q. When did you come into this State?—A. I came into this State in 1866, some time in March.

Q. You have been here ever since?—A. Yes, sir; I have been in the State ever since, with the exception of visits to the North.

Q. Did you know Moses Johnson, a colored man?—A. I did, sir.

Q. Did you know a colored man named Wade Hampton?—A. I did.

Q. Do you remember when the troubles took place at Rolling Fork last December or November?—A. Do you refer to any particular instance?

Q. Well, at the time the difficulty occurred up at Rolling Fork, between some colored men and a white man or boy?—A. I am not conversant with the particulars of it; I only know it from hearsay.

Q. You heard of it at the time, did you?—A. Yes, sir.

EFFECTS OF THE TROUBLE AT ROLLING FORK.

Q. State what excitement that produced, if any, down on the creek where you live—that Rolling Fork difficulty—and what ones participated in it, as far as you know.—A. Well, it caused a very feverish state of excitement as a general thing among all parties in that section.

Q. It created a great deal of excitement among all parties?—A. Yes, sir; all parties. It made the negroes very revengeful.

THREATS OF THE NEGROES.

Q. What threats, if any, did you hear the negroes use with reference to the people at Rolling Fork and that section?—A. Well, they threatened to kill them, and burn the place down, &c.

Q. Did you hear Moses Johnson talking in regard to that matter?—A. No, sir; I did not.

SAW TWO COMPANIES OF NEGROES.

Q. Shortly after that, and before the negroes were killed, there where you live what demonstration did you hear among the negroes?—A. I saw two different companies on their way, as they expressed it, to Rolling Fork, or up the creek, and they expressed very plainly their intention to kill the white people and burn the gin-houses, &c.

Q. Was Moses Johnson in one of those companies?—A. Yes; he was in one of the companies, but not at the time I saw him. I did not see him with either one of them; but I know he was with one of them, from hearsay.

Q. Were they armed—the first company that you saw?—A. Yes, sir; they were all armed.

SEVEN NEGROES IN THE FIRST COMPANY.

Q. In what numbers did you see them together, and whereabouts did you see them?—A. I saw about seven in the first company. They had just returned.

Q. From where?—A. From up the creek. I do not know how far they went, though I understood they went as far as the vicinity of Elgin & Hunt's Store. I was not aware of their having been up until I met them on their return, and just as they had returned.

Q. What negroes did you know who were in that company of seven?—A. There was one named Frank Anderson, one named David Jackson; Moses Johnson, I met him with his gun a short distance between the quarter where Mickey lives and home. I asked him where he had been, and he said he had been hunting. There were Rufus Haywood, a boy called George Williams, and there were some others; I don't recollect now who they were.

Q. How long were you with them when you met them at that time?—A. I was there, perhaps, ten or fifteen minutes. I went to a store which Mr. Hunt has on his plantation, and they came in a few minutes after I went in.

NEGROES WISHED TO CREATE A DIFFICULTY.

Q. What did they state about where they had been, and what their purposes were, or had been?—A. I said very little to them. They evidently wished to create some kind of a difficulty, and they were partially intoxicated and very abusive. They were boys that I liked as a general thing, and was well acquainted with, and we never had had any difficulty between us prior to that: and one of them—they were all speaking in connection with where they had been at Elgin & Hunt's store—they knew that I had been to Rolling Fork after this difficulty occurred at the Point, in connection with the escape of some prisoners—

and one of them made the remark that any one who went there was a damned rascal. This was said by a man named Anderson, and I said to him, "You are a liar; I was there, and you know it."

WITNESS WAS UNARMED.

The remark I regretted as soon as it was spoken, because there was no reason in the man. He had his revolver, and I was unarmed entirely; and he said, "It ain't a bit of use to talk that way; I am ready now and any time to take my gun and kill any man any time, by God! If I am worth anything at all, I am ready to die now just as well as any time. It's no use you white people blowing any more about the matter."

Q. Who was that?—A. Frank Anderson was the one who made this remark, and he was seconded by two or three others in the room at the same time.

Q. Were any further threats directed against the white people at Rolling Fork or vicinity?—A. Yes, sir; that was the general complaint; they were ready to go any time, and would go any time.

WITNESS TOLD THE NEGROES THEY WERE COWARDS.

I told them that they were cowards; that they had been turned back by some men up the creek, when if they had had pluck enough they might have gone on. He said that it was the intervention of some of their own people that caused them to turn back; that had it not been for that, John Elgin and Abijah Hunt would have been lying dead on the grass then at the point from which they were turned back.

I regretted having said anything to them at all. I was there alone and they were under the influence of liquor, and armed, while I was unarmed. I had never seen them in such a state of excitement before; and I left there then.

TWELVE OR FIFTEEN NEGROES IN THE OTHER COMPANY.

Q. What other armed bodies did you see about that time, and whereabouts did you see them?—A. I would not be positive, but I think on the same day I went further up, and then I met this other armed body coming up the other road that went to Elgin and Hunt's store.

Q. How many in that body?—A. I suppose twelve or fifteen; somewheres about that. I did not count them.

Q. Were they mounted?—A. Yes, sir.

HOW THE NEGROES WERE ARMED.

Q. How were they armed?—A. Some had revolvers, and most of them had double-barreled shot-guns. I noticed only one with a United States Springfield musket. I don't know how the majority were armed. All might not have been armed; but I think they were. I don't recollect having seen any one that did not have a pistol or gun with them. They were pretty noisy and made some slight threats as they passed me, but nothing particularly directed toward me.

CHARACTER OF THEIR THREATS.

Q. What was the character of their threats when they passed you?—A. They made no specific threats; said that they were not afraid of any man. Some one toward the front of the company made some remark, and one near to me said he did not care any more for a white man than he did for a dog, by God! He was ready, and if they could get men to follow them they were going to—I don't know—going to do something—going to have satisfaction, or something of that sort.

Q. Did they say anything about where they were going?—A. No, sir; that company made no remark of that kind.

Q. Did you know any of them by name?—A. Yes, sir.

KNEW SOME OF THE NEGROES.

Q. State as many as you remember now of that second company.—A. Wade Hampton was one of that company; Silas Baldwin was one of that company; a man named Warner Miles was one of them; William Hughes was one. I don't recollect who the others were; there were more than that.

Q. Did they know you?—A. O, yes; they were well acquainted with me.

Q. Did they know to what political party you belonged?—A. I don't know that they did. Some of them—they knew what I claimed to belong to.

Q. Did their spite seem to be directed against the whites generally, those especially up by Rolling Fork?—A. Yes, sir; it was more especially in connection with those toward Rolling Fork.

Q. Against the white people?—A. And against the white people.

Q. Those that you saw at the store, how was their animus; was it against the white people?—A. Against the white people.

Q. Do you remember on what day of the week this was, Mr. Ball?—A. No, sir; I do not.

EXPRSSIONS USED BY THE NEGROES.

Q. State, as near as you can, the expressions used by these men in either of the bodies; what their language was.—A. The expressions of the first party were that they were ready to lay down their lives any time. I cannot repeat their words; but those words were used, and that was the effect of it: they were not afraid; they did not care for any white man any more; they intended to go prepared, and take their guns, and had no fear of the white men any further; and that they intended to burn every damned gin-house between there and Rolling Fork, and kill every man there was there. That was the party that had just got into David Hunt's quarters, and were about breaking up. Some of them had gone into their houses, and others followed me into the store, with the exception of one Moses Johnson, whom I met perhaps forty rods from there, going further down the creek where he lived.

By Mr. BAYARD:

Q. What did he say?—A. I asked him, merely, where he had been. The party which went from below there, which I afterward met, were forming as I passed them, further down the creek. It struck me as rather singular, and I asked them what they were doing——

Q. Was Johnson with you when you first saw this second party?—A. No, sir; I saw Moses Johnson soon after this first company had broken up. He was then on his way to his home, about one mile below Hunt's quarter, or where this man Mickey lived.

Q. And you say that he said he had been out hunting?—A. He said he had been out hunting.

Q. Did anything further pass between you and him?—A. I think not a word.

Q. Was anything said about these boys being excited up there?—A. I had not yet met them; that was a few moments before I got to Hunt's quarter, where I afterward saw these men who followed me into the store.

WHAT THE NEGROES SAID THEY WERE GOING TO DO.

Q. When you came in sight of the second company, they were forming?—A. No, sir; before I got to where I saw the first squad with their guns, this first squad had then returned from some portion of the

upper creek, as I passed this armed body of men they were at their houses, were just coming out. They all had their guns, and I asked, "Boys, what are you going to do; where are you going?" One of them replied that they were going to shoot squirrels, and another one replied that they were going to a party, and another one said—the second who replied after the first one had said that they were going to shoot squirrels—that they would be two-legged squirrels.

Q. Was that before they had gone up?—A. Yes, sir.

Q. That was when they first formed, before going up the creek?—A. Yes, sir.

Q. Were they sober then?—A. They appeared to be, from these remarks that they made as I was riding past them. I was riding slowly.

Q. State, as near as you can, all that they said in reference to their purposes; what they were going to do.—A. There was only this remark made as I passed them. Said I, "Boys, where are going with your guns?" One of them replied "We are going to hunt squirrels." Another one says, "They will be two-legged squirrels;" and a third replied, "We are going to a party."

ABOUT THE TIME WHEN WITNESS MET THESE NEGROES.

Q. How long after that before you saw them again, when they were in this boisterous condition—intoxicated in part?—A. It was the same day, I think, because after I passed the first party I went farther up the creek, toward Elgin and Hunt's store, and was on my return by the other road, and it was on my return that I met them going up the creek.

Q. But when did you see this first party the second time?—A. When they were on their way up the creek, having gone a little ways down the creek and then taken a cut across and struck the creek farther above, as there was a large bend.

Q. What time did you see this party of seven at the store at the time that you spoke of one of them making some threats against you, with a revolver; how long after you saw them forming?—A. It was probably three-quarters of an hour after I met the first party. It might have been more, perhaps an hour. I rode about two miles and a half, and I don't know what hour in the day it was. I should judge it was some time before twelve o'clock; I think about ten o'clock; I am not positive in regard to that. I have not thought of the matter since in any way. I just know it was that day, but I could not come anywhere near the hour of the day, or not very well. I think it was before twelve o'clock, though.

Q. Can you remember what day of the week it was?—A. No, sir; I don't recollect a thing about the day of the week. I made no data or memorandum of the matter, and hadn't thought of it since.

Q. How long was it before the killing of some five or six negroes near Hunt's farm?—A. I don't know how many days it was.

WITNESS HEARD ABOUT THE MURDER OF THE NEGROES.

Q. Do you recollect that occurrence?—A. I know that from hearsay; I was not present at anything of the kind.

Q. Do you recollect from hearsay of that occurrence?—A. Yes, sir; I heard it the next morning.

Q. Do you recollect what day of the week that was?—A. I don't recollect what day of the week it was.

Q. You heard of it the next morning?—A. Yes, sir; the next day—during the day.

Q. What negroes were killed there?—A. It was reported that Moses Johnson and Wade Hampton and a boy named Rufus Heyward. I never saw them, but that was the report.

Q. At that place?—A. Yes, sir.

Q. Well, there were some others in some other party?—A. Yes, sir; I understood so.

Q. What was the distance between the two places where those negroes were killed?—A. Well, sir, I do not know. It was somewhere about two or three miles. I never saw the place where they were killed; the place was never pointed out to me. It was somewhere in the vicinity of what is called the Sixteenth Section above there, but I don't know how near.

Q. Did you ascertain the names of those at that latter place?—A. I did, sir.

Q. Who were they?—A. Noah Parker, and I think there was a boy named Brooks. I am not positive of it, but I think that was his name. The boy Brooks was killed, but whether he was the one killed with Parker or not I do not recollect.

Q. Do you recollect the name of the third?—A. No, sir; I do not. I know very little about that. I might have heard the name mentioned, but I don't recollect it at all.

DERRY AND CHARLES BROWN REPORTED TO BE URGING THE NEGROES TO ARM.

Q. Now, after that, what further disturbance came to your knowledge along the creek from among the negroes, and what course did Derry Brown take in regard to it, as far as you know?—A. The only disturbance after that took place was where I live, at Mr. Watson's plantation, and was caused by Derry Brown and his brother, Charley Brown.

Q. Go on and state all that transpired there. Were you there yourself?—A. Yes, sir; I was at the house. The quarter is situated about a quarter of a mile farther south. I heard some very loud talking at the quarter. Mr. Watson came down there and said that Derry and Charley Brown were up in the quarter inciting the negroes to take their arms and go against the white people and kill them; to go to Rolling Fork and kill them up there. I got up and started toward the quarter.

I had known Derry very well, and always liked him. He was very well respected before that. He had been, as a usual thing, pretty quiet, and attended to his own business; a good, hard-working boy. I had done considerable writing for him. He kept sometimes a number of men hired on a place that he rented, and I used to do a great deal of writing for him, keeping his accounts. I met him about half way between the quarter and the street, and there were a number of negroes following him.

NEGROES NOT ARMED.

Q. About what number?—A. A dozen, or somewhere along there. They were not armed, though. I don't think any of them had guns at the time, but I think they were on their way to the house—the men from the quarter—to see about something, I don't know what.

WITNESS URGES DERRY BROWN TO KEEP QUIET.

I stopped him, and commenced talking with him. He was on horseback. He said there was no use talking about it, they were bound to go to Rolling Fork to have satisfaction. Those were the words he used.

By the way, I think he had just returned from down the river. I think he had but just arrived the night preceding this morning. I said "You know nothing about this matter, Derry. No one has molested or interfered with you at all, and will not if you keep quiet. So far you have been respected, and people have assisted you; you are getting along well, and you ought not to try to take these men up there

to cause any further disturbance of the peace. So far in this section we have not been troubled at all, and you ought to go home and let this matter drop."

BROWN SAYS THAT IF THEY KEEP QUIET THEY WILL ALL BE KILLED.

He said, "No, by God; if they did that, they would all be killed." I said to him that there had been nothing of that sort thought of, and there was nothing to justify that apprehension at all; no threats had been made, and no one had come into this vicinity lower than that house; no one had been below that; that his property and everything was protected, and no one had sought to interfere with it, and I would see that they did not. He replied to that, that that was too thin.

He had been, before I saw him in the fields, trying to get the negroes from the fields.

Prior to that time Derry Brown had been a good negro, attending to his own business and interfering with outside matters very little, if any; hard-working and industrious. He had been making money all the time; and I alluded to this fact to him, and told him he ought to let the matter alone.

BROWN GATHERS SOME NEGROES.

He had gotten some of the men from one negro's field, and that negro had come down to get them back. He told him that he did not wish to have anything to do with it, and didn't want his men to; that he wanted them back in the field; they had enough to do in the field. Derry replied to him that every one ought to go, and them that would not go ought to be shot.

I tried to get him to go up with a committee that was being talked of; they had been talking of getting up a committee to go to the Point. He said he would not go. He said that would not pay for them that had been killed; nothing but blood would pay for them.

I went down to the house then. A gentleman by the name of Parker Ferguson rode up at that time, and tried to get him to go down and stop his brother raising the men below.

CHARLEY BROWN GOES TO GET MEN FROM BELOW.

By Mr. McDONALD:

Q. His brother Charley?—A. Yes, sir. I did not see Charley that morning; when we went up to meet Derry, Charley had already left, having started from the quarter and gone right down through the woods, as they said, to bring men from below. Ferguson had met him on his way down, riding very rapidly and creating a great deal of noise; and, becoming frightened himself, rode up and tried to get his brother to stop him from bringing these men on.

He said, "We don't want to bring the disturbance down here if we can help it; it will ruin us all if persisted in."

WITNESS HEARS THAT CHARLES BROWN THREATENS HIM.

When he came I left him there with Derry and went to the house. Mrs. Watson, a lady living at the house, the proprietor's wife, called me to the window and told me that some women from the quarter had been up and told her that her and Massa Lewis need not be alarmed—referring to Mr. Watson—but that they were going to take Mr. Ball; said I had been with those armed parties, and had been carrying dispatches, &c. I know that was the reason that they alleged for it.

Q. Did you have anything to do with those armed organizations from above?—A. No, sir; I never had. I knew nothing of them at all about

there where I lived, or down that way. There are very few white people living where I live; only one or two on a plantation.

Q. Did you see any more of Charley Brown after he left the quarters there and went down the creek, as you have stated?—A. I did not see him that morning. I don't think I have seen him since that time.

Q. What efforts did you understand he made below there to raise the negroes to arm themselves and attack the whites?—A. I understood he made vigorous efforts to get them to go with him, and that he partly succeeded; but that messengers went down, or the friends of Ferguson had stopped them at his place.

HEARS THAT CHARLES BROWN KILLED HIS HORSE BY RIDING UP AND DOWN.

Q. Did you hear of his riding up and down the creek?—A. Yes, sir; I heard that he killed his horse in the attempt to raise the negroes.

Q. In riding up and down?—A. Yes, sir; that is only report. I don't know anything about the truth of that.

Q. During that time of excitement, when you saw these armed men, before the killing of these negroes near Hunt's farm and above there, how did it affect the white people who were living in that part of the country; what apprehension did they feel?—A. They were trying to get away from the country, but they did not feel safe to start.

WHITES GREATLY ALARMED.

Q. What state of alarm was there among the white people living in that part of the country on account of these demonstrations?—A. Do you refer to ladies as well as men?

Q. Yes, sir; all.—A. They were very much frightened. We barricaded our doors, and kept armed for two or three weeks; for two or three weeks we were vigilant and watchful; some nights we did not go to bed at all.

Q. How many white people were living along on the creek within that district that was affected by these disturbances?—A. At Mr. Watson's there were four at this time, three living there, including myself. I believe there was two at Cammack place, between Watson's and Hunt's, where this boy Mickey lived. At Mr. Hunt's there was only one, I think, Mr. Hunt, himself. Living at a store between Hunt's and Elgin's store were two white men and a lady and her children. At Hunt's store were two white persons.

NUMBER OF NEGROES IN THIS SECTION.

Q. About how many negroes were there from Hunt's store down to the lower part of the county where these difficulties extended?—A. Do you mean to Mr. Watson's, where I live, or including farther down, where Charley Brown had been?

Q. Including down where Charley Brown had been.—A. From Hunt's store to where Charley Brown went there were about a thousand of them, I should think; between seven hundred and a thousand.

Q. Where was the bulk of the white settlers upon the creek?—A. It was very thinly settled with the exception of about a mile around Rolling Fork, and there it was comparatively thinly settled as a general thing; on each plantation one or two white persons, sometimes a lady and one or two children.

By Mr. BAYARD:

Q. Did these white men have their families there—the women and children among them?—A. Yes, sir; as a general thing.

SEEN ARMED WHITE MEN.

By Mr. McDONALD:

Q. Did you see any bodies of armed white men who came down from Rolling Fork and above there?—A. I saw one company; I think I saw two detachments.

Q. Do you recollect what day they were there?—A. I do not.

Q. Do you recollect the day of the week?—A. I do not.

Q. How long was it after you had seen these armed bodies of negroes that you have described?—A. I don't know, but it was soon after.

Q. Was it while this excitement and terror were still existing?—A. Yes, sir; about the time. It may have been a day or two following that. It may have been two or three days. I think it was about that time, or within two days, I think, of that time. It may have been the next day; I really forget. It was about the same time and in connection with that matter.

Q. All in one transaction?—A. Yes, sir; it was all owing to the excitement of that matter.

CHARACTER OF BOWIE FOREMAN.

By Mr. BAYARD:

Q. Do you know a negro man named Bowie Foreman there?—A. Yes, sir; I do.

Q. What is his general character?—A. He is young. I knew him seven or eight years ago—knew him ten years ago. He was a good boy then, but since then he had been a constable in the county, and got in the habit of drinking a good deal of whisky, and had his own way always about matters, and had got to be a very bad boy.

Q. Do you consider him a reliable witness at all?—A. In no respect whatever. In fact I know that he is not in any way; I know him to have perjured himself.

Q. If he were to give you an account of that transaction, would you believe much of it?—A. I have known him to swear a falsehood right in court—a fact that we knew to be false.

Q. You have been present in the court when he was examined as a witness?—A. Yes, sir.

Q. Would you put any reliance in his statements as a witness?—A. No, sir; nor would a black or white person in that country.

By Mr. McDONALD:

Q. How many did you see in the last band of negroes?—A. I don't know exactly; about twelve; I think there may have been thirteen.

WITNESS INFERRED THAT THE NEGROES WERE ALL PREPARED.

By Mr. BAYARD:

Q. Were you informed of the existence of other bodies to which these bands belonged from anything that fell from the negroes themselves or from others?—A. From the remarks they made they were all prepared. I don't know anything of any other band.

Q. From the remarks made by these men, what did you infer in regard to the preparation of others in like way?—A. I inferred from the remarks that were made at different times, by these parties at the time—I had different interviews with those parties, not at the time I passed them on horseback the second time, but at the time I met them at Hunt's store—by the general talk during the day and during the next day or so, that they were all prepared.

Q. What did you understand by that?—A. We became interested

then, and made an investigation; and, as near as we could learn, they had been drilling, and an organized force had been in existence for some days previous.

Q. Where had they been drilling?—A. All the way from Rolling Fork to Hunt's. I don't know of any force having been drilling below Hunt's; I don't know of any drilling there only from what we learned from investigating.

SATISFIED THAT THE NEGROES HAD BEEN DRILLING.

Q. The investigation disclosed the fact that there had been armed bodies drilling for several days before that time?—A. Yes, sir; we were satisfied of that from what we learned.

Q. You said there was an investigation made to discover the true state of affairs?—A. Yes, sir.

Q. And what was the result of that investigation?—A. Well, sir, we became well satisfied that this had been in operation for some few days preceding; that they had been holding meetings and electing and going through the details of organization.

Q. Do you believe it was a general organization of the colored people of that section?—A. I do, fully.

Q. Armed?—A. For the purpose of arming—using arms in carrying out their design.

IT WAS UNDERSTOOD THAT THE NEGROES WOULD KILL THE WHITES.

Q. State what their designs were understood to be from your investigation.—A. It was understood to be to kill the people in that vicinity, up and down, as far as Rolling Fork. The principal objective point seemed to be Rolling Fork; from Hunt's place to Rolling Fork, to burn every gin-house, &c.

WELL-TO-DO NEGROES ALARMED.

A few of the better-to-do colored people became very much alarmed, and used every exertion to stop them. They said, "We have cotton there; we are more affected than the planters are." They were very much alarmed themselves.

Q. They had an interest in the crop?—A. Yes, sir.

SOME NEGROES HAD A GREATER INTEREST IN THE CROPS THAN THE WHITES.

Q. Were not many of them renting land and cropping?—A. Yes, sir, a good many of them had an interest in the crop, and a good many had their cotton in the gin-houses. Some of the colored people really had a great deal more interest in the gin-houses than the white people.

WAS THIS A CONSPIRACY?

Q. Was this understood by the people of that vicinity to be a conspiracy?

CHAIRMAN OBJECTS TO THE NATURE OF THE QUESTIONS.

The CHAIRMAN. I want to make an observation, and want to do it with the utmost kindness. I think in the examination of this witness, as well as some others, the questions you have asked have contained, very frequently, the substance of the answer which was apparently sought by the question.

MR. BAYARD REPLIES.

Mr. BAYARD. I would have proposed in the origin of this investigation to treat the people of this State as I would any other persons under a charge—the white people of the State, against whom this committee and this investigation has been directed. I would have had nothing

stated here in regard to them or their rights which would not have been admitted in a court of justice; but it has been the decision and the course of the controlling majority of the committee to pass into a different system of examination, and I only say that I have followed them as a matter of necessity into that, which I believe to be an error and an injustice; but, nevertheless, it has been inevitable that if the one side of this long story of the condition of Mississippi was to be examined by hearsay testimony, there must be more or less of it in the other.

I quite agree that this thing—asking for impressions, asking for information which a man has derived from others—is irregular, but it is only a part of a system by which a way has been opened for us, and I know no other way of completing the transaction than by following in the same path. I do not disagree with you at all in regard to the necessary results of violating those rules of evidence which courts of justice have laid down for us long ago for the elucidation of truth; I have no doubt about that, and I agree with you about that; but I do say, with all due respect, that we are simply imitating you in the errors that you have given to us; that is all.

The CHAIRMAN. What I was directing myself to was not so much to the subject of taking hearsay testimony as to the particular character of the questions.

Mr. BAYARD. So far from objecting to any suggestion that you may choose to make, I would prefer your making it. The business is not a pleasant one, at any rate. We do not agree, I can see very plainly, in our views, but I don't in the least object to your speaking at any time if you think a question is improper. I would like it to be conducted upon something very far from personal objection, and I don't take it the least hard that you should tell me whenever you think I am traveling away from what is just or fair or right. I am not conscious of meaning anything else, and if you can help me to keep in that I would rather take it as a favor than otherwise.

The CHAIRMAN. I thought the last question in regard to the conspiracy suggested pretty largely to the witness the character of the answer; but I will not make any point about it.

Mr. BAYARD. This is the idea: other witnesses that were called here have stated that there was this arrangement, combination, or confederation of the colored men for hostile purposes in that vicinity, which put the white people in great terror.

The CHAIRMAN. Yes, sir; that has been stated; that is the ground taken by them.

Mr. BAYARD. That is the point. Now, this witness is a citizen of that vicinity, and he stated that after these things had occurred they made some investigations among themselves, and they became convinced that there was a general combination of the blacks against the whites, and I wanted to know from him his knowledge of that, what was the impression made there in the minds of the white people, growing out of this thing.

WITNESS JUSTIFIES HIS CONDUCT.

Q. [To the witness.] Anything you can state about that, now, sir, I would be obliged to you.—A. I would like to make a remark, as far as I am concerned individually: I said I was a republican. My father was from Massachusetts and I was born in Illinois, but while attending school in Wisconsin I joined a Wisconsin regiment and was in it from the beginning to the end of the war, and should the same circumstances occur again I would pursue precisely the same course as I did then.

The republican party ought not to be judged by the action of the negroes in this vicinity in this particular instance. We don't have much means of judging what parties are doing now; our country is so far away from the other section of the country where the republican party is in the ascendency that I do not judge the action of that party by the actions of the negroes in my vicinity.

I know I felt during these disturbances in so much danger that I staid away from home the nights following these threats against my life. I did not feel at liberty to return back again.

I do not wish to be understood as a man that has gone back on his principles at all.

THE EXCITEMENT HAD NO CONNECTION WITH POLITICS.

By Mr. BAYARD:

Q. Had this whole occurrence—the excitement—any connection with the party politics of the country?—A. I think not at all.

Q. Did you so regard it?—A. No, sir; not as a political matter; it was between the whites and the blacks. I don't know whether it had relation particularly to politics, though that may have had something to do with it; but they certainly, in my mind, had combined to kill out the white people, and made threats against us so that I felt in danger of my life; and others did, too.

ACTION OF THE WHITES DEFENSIVE.

Q. Do you regard the action of the whites there as being defensive?—A. Entirely so. If they hadn't done what they did I don't believe one of them would have been alive to-day, unless by an accident. The excitement was so great that, I think, in two or three days the feeling would have culminated in the death of the white people in the vicinity—women and children as well as men. Had it been possible for us to have moved the ladies and children away from that section we would have done so; but we felt that we were in great danger in attempting it; and they staid in-doors, and we protected them the best way that we could by barricading the doors at night and watching in the day-time; but if it had been possible for us to have got them out of the country it would have been done.

GIN-HOUSES EASILY BURNED.

Q. Was there any means of protecting the gin-houses where your crops were?—A. None that would have been practicable under the circumstances.

Q. Would not the conflagration of a gin-house have necessarily been complete from a single match?—A. Yes, sir; it would have been almost impossible to extinguish it. I never heard of a gin-house being saved where there was cotton in it, and most of them at that time were pretty full of cotton.

CROSS-EXAMINATION.

By the CHAIRMAN:

Q. Did you go to Rolling Fork after you left these two squads of men, one of seven and the other of twelve or thirteen, before the killing occurred?—A. I think not, sir.

POLITICS OF WITNESS.

Q. With which party have you acted politically since you have been in this State?—A. Up to within two or three years I have acted with the republican party, and as far as State officers and United States officers are concerned, I still act with them. In the local offices there has

been no choice, because the negroes have held all our offices without exception.

Q. The negroes constitute a very large majority of the population at the Creek and at Rolling Fork, and in that county around there?—A. Yes, sir.

TEN TIMES AS MANY NEGROES AS WHITES.

Q. Were there twice as many negroes as whites?—A. Yes, sir; I suppose more than ten times as many. I have seen the number of votes polled, but I don't recollect.

NEGROES GENERALLY ARMED IN SOME WAY.

Q. To what extent do you suppose the negroes had arms, either shot-guns or pistols?—A. Most every one of them was armed in some way. It seemed to be a passion with them to possess a shot-gun or musket.

Q. As a general thing the arms were not of the late and approved patterns, were they?—A. No, sir.

Q. Generally those which had been rejected by the Army or by other persons?—A. They were mostly double-barreled shot-guns.

Q. But not fresh ones, were they?—A. A good many had new ones; they were buying them every year, more or less.

Q. Were they breech-loaders, carrying fixed ammunition?—A. No, sir.

Q. Generally muzzle-loaders?—A. Muzzle-loaders.

Q. If there had really been a purpose on the part of the negroes in this neighborhood to have destroyed the white people, they could have carried it out?—A. I think they could.

Q. They were so numerous that they could have overthrown them?—A. I think so, sir. There are on our plantation two or three whites and about a hundred negroes; on Mr. Hunt's plantation about the same; and on two other plantations there are about the same; and between there and Rolling Fork there are a great many smaller plantations, and the proportion of negroes there is not quite so large, because on each plantation there are generally two or three white persons.

Q. The seven men that you saw that day, as I understand, had been toward Rolling Fork, at least as far as Elgin's store, and were then returning?—A. That is what I understood.

Q. Now, how about the other band; had they been there or were they getting ready to go?—A. O, I first saw the seven on my way to Hunt's. At a place below me a portion of them were forming, and after they formed they went, I believe, still farther below, and then took a straight cut across toward Elgin and Hunt's store.

Q. Do you speak of the seven or the twelve now?—A. Of the twelve.

Q. Did you see them after they returned from up the creek?—A. No, sir.

Q. Is it within your knowledge, or within information that you put confidence in, that they did not go toward Rolling Fork much beyond Elgin's, and whether they stopped there?—A. It is not within my knowledge positively how far they went after I passed them; that is, whether they went past the store or not.

Q. Is it generally understood that they did not go to Rolling Fork?—A. I don't think that they went there.

THE FIRST PARTY SETTLED THE DIFFICULTY AT ELGIN'S PEACEABLY.

Q. Is it not also understood that at Elgin's they met Elgin and young Hunt, and they took a drink, as they say, all around, and settled up all their difficulties—all the difficulties that were personal with Elgin and young Hunt?—A. I understood that was done with the first party be

fore they returned—the seven that I saw; but this second party, I understood, had been promised by the first party who returned to go back to Elgin's and Hunt's, and they had expected to form a junction near Elgin and Hunt's store with the party that first formed, and go up together.

Q. As a matter of fact, there was no such plan carried out, though?—A. No, sir; because the other party from Hunt's did not go back as I know of.

Q. Do you know Mr. Elgin?—A. I do, sir.

Q. Is he a man who indulges in the use of liquor sometimes?—A. I believe he is.

Q. He would be very likely to enjoy a social drink with these people, and settle his differences in that way, if he had any?—A. I don't know but I might answer in the affirmative to that; but he is a man pretty aristocratic in his notions. He may have given these men something to drink there, as they were generally pretty friendly, I believe; the negroes all liked him, and he did them, preceding these events that occurred at that time.

Q. Do you know Mr. Hunt, the owner of the plantation there?—A. I do, sir.

Q. Do you know whether Mr. Hunt shared in the apprehension which you and the others entertained in regard to the negroes?—A. Yes, sir; he did. I know he did, because I was at his house at the time.

SAW TWO COMPANIES OF ARMED WHITE MEN.

By Mr. McMILLAN:

Q. You saw two companies of white men that came down from the Point?—A. I did; I saw two detachments there.

Q. They were all armed white men, were they?—A. Yes, sir.

Q. You did not see the others that came down as part of the expedition there?—A. If there were others besides these two detachments I did not see them.

Q. You said you did not see others; you saw two detachments only?—A. I saw two detachments that crossed the bridge at the house near where I live. I think I saw them both there. I was right by when they came up; but they did not speak to me, and I did not to them.

FIVE NEGROES MURDERED THAT NIGHT.

Q. There were six negroes killed there that night?—A. Five, I believe, that night; three killed at that place and two above there. I don't recollect of but five being killed that night. There was another one killed, but I don't think he was killed that night. That is my impression.

NEGROES HAD FAMILIES.

Q. Were they negroes that had families?—A. Yes [illegible]

Q. They had wives and children there?—A. Yes, [illegible]

W. W. CHISOLM—KEMPER COUNTY.

HOW THE CANVASS WAS CONDUCTED.

JACKSON, MISS., *June* 23, 1876.

W. W. CHISOLM sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Q. Where do you reside?—A. I live in Kemper County, at De Kalb, the county-seat.

Q. How long have you lived there?—A. I have lived in De Kalb about six or seven years; I have lived in the county about twenty-four years.

Q. Of what part of the country are you a native?—A. I was born in Walton County, Georgia.

Q. Did you take any part in the late war?—A. Yes, sir; as a citizen I did; I was in favor of the South.

Q. You were not in the army?—A. No, sir; I held office under the confederacy, but I was not in the army.

LARGE BUSINESS INTERESTS.

Q. What is your business or occupation?—A. I am a licensed lawyer; I have held an office nearly ever since I have been of age, of some sort or other. I practice law, and I am a farmer, sir. I do considerable farming, and then I am running a considerable mercantile business, more for the purpose of furnishing those whom I have on my place than anything else.

Q. How are your business operations as compared with those of your neighbors, large or not?—A. Yes, sir; I suppose I do considerable more business than any man in the county just now.

WITNESS TAKES PART IN THE CANVASS.

Q. Did you take part in the political canvass of last year?—A. Yes, sir, in my county; I didn't go out of my county at all last year—yes, I did make one speech in Macon County last year. I was invited to several places, but didn't make but one speech out of my county last year at all.

WITNESS WARNED AND THREATENED.

Q. The object of this committee is to ascertain how the canvass was conducted, especially with reference to whether there were any acts of intimidation; and the committee would like to have you state fully, in your own way, what occurred under your own observation in Kemper County.—A. The canvass in that county was, I thought, very warm, and there was a good deal of excitement attending my meetings. I don't know anything about the meetings of the opposite party except what was in my own town. I attended one or two of those.

The canvass opened in the county at Blackwater, so far as the republican party was concerned. I made an appointment to make a speech at Blackwater, and Judge Bell, a candidate for the legislature, asked me to divide time with him. I told him I would, of course. There were some colored men came to me in a few days and told me that I had better not go to Blackwater; that they swore that I should not speak there, Old Bill Bailor, a prominent colored man, came to me and told me that if I went to Blackwater I would not be apt to come back home; that the Key boys and the Hudnalls, and the Hodges, and McClelland and D. V. McWhorton down to Blackwater, said that I should not make a speech there—such a speech as I had been accustomed to make.

I saw Judge Bell a few days after that, and says I, "Judge, I don't want any trouble, you know. In the first place, I am not able to fight a regiment of men, and if there was going to be any speaking down there I wanted just to take my own course in this thing. I am perfectly willing to divide time with you, but I don't want to go down there and have any trouble with these men." He said that he thought it was a mistake, and he would try to control that thing.

EX-CONFEDERATE REPUBLICANS GO WITH WITNESS TO THE MEETING.

I got several of my friends, white republicans, fifteen or twenty, all southern men, and most of them confederate soldiers, some of them the first men that ever left the county and went into the army, to go with me to Blackwater. We met a large crowd of white men and some freedmen there; and Judge Bell made a speech, and I replied to him.

HOW A FIGHT WAS TO BE STARTED.

In my speech there was a good many questions asked me. I had been notified previously how a fight was to be started by questioning me; and old man Dorset White was to ask me some questions, and they thought I would fire up and say something very severe to him, and then they would open on me. When he asked me some questions I replied to him that Judge Bell and me were making the canvass, and that I didn't think I ought to be interrupted; and Judge Bell told him to stop. At the same time Mr. Hudnall started to get up, and Captain Rush, who was captain of a company from my county, who was a particular friend of his, got hold of him and pulled him down; and Captain Rush afterward told me that he said that he was going to get up and go for me.

THE FIGHT AVOIDED

As soon as I got through my speech Bell rejoined for a quarter of an hour, and when I got up to reply to him they commenced asking questions again. I was to have a ten-minutes' rejoinder, and I didn't get through with the ten minutes. I told them that I had said as much as I cared to, I believed, and I called my crowd. I told them that I didn't propose to bandy words with them. I says, "I have got through with my speech, and I am going to my buggy." And I, with six or eight of my friends, walked up to my buggy; but they didn't interfere with me at all. There was no interference, except they seemed to want to get up a general talk, and see what it would amount to.

GUNS IN THE BUSHES.

I learned from other parties that they had a good many guns down there in the bushes, but that I don't know anything about. After that I had no more discussions with them at all—no more joint discussions.

ARMED DEMOCRATS COME TO ALL OF HIS MEETINGS

Q. Did you have any meetings?—A. I made a canvass of the county. At nearly all of my meetings they would come, from five to ten, sometimes fifteen or twenty, armed men with double-barrel shot-guns, rifles, and one thing or another from different directions; and they would say to each other that maybe they might kill a buck that day, and they would take their guns along. I made my speeches, however.

AT SOME PLACES NO NEGROES TURNED OUT—WANTED A STRAIGHT-OUT WHITE MAN'S FIGHT.

I spoke at every point that I was to speak at in the county. At some places there were no colored men turned out. They told me that they had heard so much talk in the neighborhood that there would be

some trouble, that they were afraid. My speeches to the colored men all the time was that I thought there would be no trouble; but, if there was, to just let me and what few white men there was along with me and the white democrats fight it out; that it should be a straight-out white man's fight. I didn't want them to have anything to do with the fighting; that if there was any fighting to do, what few white men went with me would fight; that we didn't want them to have anything to do with the fighting.

WARNED NOT TO GO TO SCOOBA.

Q. Was there any particular disturbance at any of your meetings?—A. There was not, except on the last day that I spoke at Scooba, on Saturday before the election on Monday. On that day after I had left De Kalb and was about a mile from town, I was stopped by a young man named Halford, I think they called him Julius, but I am not positive now; his father was a candidate for representative on the republican ticket, and his name is Moses J. Halford. This young man, his son, met me and threw up his hand, and hollered for me to halt; he rode up to me—and Mr. Hopper, I believe, was in the buggy with me; I am not positive as to that, but I know there was some one with me—he rode up and said his father had started him that night to meet me; that he had heard I was coming to Scooba and that I never could get there; that I would be killed before I got there. I told him that I hated to turn back after I had started, as I usually went where I started to.

HOW WITNESS WAS TO BE MURDERED.

There was four or five men with me, and they rode up and asked what was the matter, and we consulted about the matter, and I asked them to ride ahead of my buggy. I asked the young man how they were going to kill me, and he said Mr. Poole, one of the men in the democratic club near Scooba, said that they were to be hunting right on the road; that Poole came to his father's house at midnight, and said that they were going to be hunting that day on the road, and that they were going to kill me; that they were going to pretend to be deer-hunting. He belonged to the democratic club, but came and told Holford that night, so this young man told me.

WITNESS A LITTLE EXCITED.

I sent these men ahead of me, and I drove on down about six miles from Scooba, and Mr. James West, who belonged to the democratic club, came walking, as I thought, sort of out of the woods. I got out of my buggy and took my pistol in my hand. Says he, "Judge, what is the matter? Are you going to shoot me?" I said, "No, sir; I have no intention of shooting you. I am a little excited though, Jim."

Says he, "I came down here to see you, but for God's sake don't let anybody know I have been here. But if you are determined to go to Scooba, you must stay there all night and not come back to-night."

I said, "Jim, tell me the truth about this matter." He said, "I have told you enough now, I suppose, to get myself in trouble. I don't want to say anything about this. I am your personal friend, and I am satisfied that almost all the people in the county are your personal friends."

Then I told what Halford had told me, and he said that he thought that by having the men riding on before me that we would pass by all right, but if I would go on to Scooba he told me not to go back from there that night. I kept my horses geared up and ready to go back, though I didn't intend to go back, but I held out that I was going.

ARMED WHITES LEAVE SCOOBA FOR DE KALB.

The negroes told me that a crowd of men had gone off from Scooba with guns in the direction of De Kalb, leaving that day about twelve o'clock.

THE BEST POLICY FOR SOUTHERN PEOPLE.

I don't know whether that was correct or not, but at Scooba there was considerable excitement that day, and there was a man from Clark County there—I think his name was Carter. I was introduced to him that morning, and I think he was drinking right smart. He told me that he was sorry that a southern man with the brains, and the sense, and the general intelligence that I had, would be going against his country, and his kindred, and his friends; that he thought that it was bad enough for the damned infernal northern Yankees to be trying to destroy the South, without southern men doing it.

I told him that I was conscientious in all I did; that I thought after I got whipped, that I was whipped, and that I believe the best policy for the southern people was to do what the Constitution of the United States said—give every man an equal and a fair showing to exercise his rights freely and voluntarily, and consequently I was a republican; but, I remarked to him, "the damned carpet-baggers, I have no particular love for them," got no particular use for them; but there was no carpet-baggers in my crowd; it was all southern men, and my friends were nearly all of them gallant confederate soldiers, and I told him that I supposed that my family had as good a record, as far as the war was concerned, as he or any other man in Kemper County; while I didn't go myself, that they had made honorable soldiers, and filled honorable graves upon battle-fields.

I made my speech that day under some excitement; there was a good deal of excitement.

CONFERENCE HELD WITH LEADING DEMOCRATS.

I will state that Mr. Duke, another gentleman at Scooba, told me that the excitement was caused by some gentlemen coming from Jackson, down there, who claimed to be United States marshals. I don't know as to that. I told Mr. Duke that I didn't know that they was United States marshals. I knew one of them had been a United States marshal, but I didn't know whether he was now or not. I hadn't sent for him; they said that they came there with Senator Gilmer a night or two before that. I told him that I supposed that they had a right as citizens to be there.

I went up to see Mr. Woods—H. Woods, jr.—a leading man and a very quiet man. I asked him if there could not be some arrangement made whereby there could be some assurance of a fair election. Said I, "This looks terrible to me, the way things are going on here." Says I, "There is a great deal of excitement here to-day and what is the cause?" He said he didn't know; and he remarked that he supposed that those men coming over from Jackson caused some excitement.

Said I, "Hab, I want to make some arrangement, if I can, to have a fair election; there ain't no use talking about holding an election without you let us have an election." He said that God knew in his heart that he wanted a fair election and no trouble.

He said one difficulty might be avoided if we would agree not to let twenty negroes vote that they knew to be under age; that perhaps that would quiet them, and he said he would go over and get Mr. Duke and Mr. Miller Jones, old citizens there, and bring them over to talk the thing over in his office. They came, and I agreed with Mr. Duke and

Mr. Miller Jones that these men should not vote; that I would ask them as a special favor not to vote, if that would quiet the thing.

Mr. Duke said then that that would quiet them, providing we didn't interfere with the negroes and make them vote the radical ticket.

DEMOCRATS REFUSE TO LET NEGROES VOTE AS THEY PLEASE.

I said, "Duke, by God, I am a free American citizen, and I have as much right here as you have. I have as much interest in this county as you have in the county. I will make a proposition to you. I propose now that we let all hands do their own voting, and for the white men in the county to have nothing to do with it. Just let them get their tickets, and let them vote as they damned pleased."

He says, "We won't do that." I says, "Well, when I meet my friends I intend to talk to them, and try and get them to vote the republican ticket, if any of them talk of voting the democratic ticket."

He said that if we should interfere with them, and should attempt to do that, there would be a fuss on election-day. I said, "I don't know what will be the result, but I intend to do it."

I said, "I understand there is to be an army of Alabamians over here;" and they said that they didn't know anything about that, if there was.

MAKES HIS BITTEREST SPEECH.

I made my speech, though under strong excitement. I expect I made the bitterest speech that day that I made during the canvass; but I know that I didn't advise the negroes to anything except peace, because I told them all the time that they could not fight; there was no use talking about their fighting; if they had to fight to vote, by the Eternal! they could not vote. But in my speech that day I told them every one to go to the polls and not be bluffed off; that I thought perhaps they were playing a bluff game, and to go and vote and go right off immediately.

Doctor Gilmer made a speech that day. He was senator at that time from that district. He stated to them that he would be there to give them their tickets, and that they intended to have a fair election.

EXCITEMENT AT DE KALB.

I went home on Sunday morning; I suppose I got home about 12 o'clock. When I got home, the chancery clerk, Mr. Poole, and the circuit clerk, Mr. Rush, came up to my house and told me that they thought there was a right smart of excitement up town; that Welch and Watts and Allen and John Gulley were in town, and they seemed to be excited about something, and they were walking over the town, and going around the court-house, and walking about a great deal, and they didn't know what it meant. I told them that I didn't suppose it meant anything particular.

A brother of mine was there from the western end of the county, and he told me that things looked very bad at his end of the county; that things didn't look like as though they were going to have much chance there. I told him to go back and do the best he could, but to have no difficulty; that they were not able to make a fight with those people down there; that they would outnumber them.

I remained at home; I didn't go to town until very late that evening. I went to my law-office, and several gentlemen came in there, and I talked with them, I suppose, until about dark, when I went home.

THINGS LOOKED VERY BAD INDEED.

I thought things looked very bad indeed, from everything I could hear from every part of the county; and the next morning I went down town, I

suppose, at about half an hour by the sun—I went to mail some letters—and I was met by Mr. Charles McCrary, and he asked if I was going to be at home that day. I told him that I was. He said he heard that I was going to make a speech that day. I said, "I have not heard of it, Charley." I said I supposed that everybody would be gone from home to the big democratic barbecue out at Moscow. He said he don't know about that.

ARMED DEMOCRATS GATHER IN DE KALB.

I went home and eat my breakfast about 7 or 8 o'clock, I suppose. I saw quite a good many men in town. When I got back from breakfast I saw several men from a good distance in the country coming in town. I began to inquire what the devil was on foot; did they think to-day was the election; and Squire Allen and Watts and two or three other persons there told me that they had got a telegram from Mr. Duke at Scooba the night before that the negroes were in arms; had got arms from Jackson; that there had been runners out all that night to get the people armed for a fight. Says I, "Yes, sir; I understand the thing, of course."

Phil.—P. H. Gulley came into town pretty soon with some of his sons and some of the young Halfords, bringing guns with them. Philip had no gun, but some of his boys had got guns. They seemed to be coming in all around. I sent over for Phil. Gulley; me and John Gulley have not spoken for several years; but me and Phil. Gulley was on very good terms, so far as personal friendship is concerned. They are both prominent democrats in the county.

WHY THE DEMOCRATS ARMED.

I sent for Phil., and I asked him what in hell and damnation all these things meant; and he told me that it meant this: That Allen and Watts and Welch had sent runners all over the county, and that the people were all armed and coming to De Kalb for the purpose of going on to Scooba, as he understood it, from a telegram that James H. Duke had sent up there. I told him that it was very strange, indeed; that I could not imagine what the devil all this thing meant.

I said, "I see you are not going to permit us to hold a fair election." He said he hoped it would be a fair election. I said, "It is utterly impossible to hold one the way the thing is going on; it is impossible, under the state of things now, to have a fair election."

Said he, "Judge, the thing ain't like I want it, but I believe I can aid a good deal in keeping everything quiet, and if you say so I will come here to assist you to-morrow in keeping things quiet." I said, "I wish you would. I don't understand this thing; it is not suiting me at all."

DUKE DENIES SENDING THE DISPATCH.

I sent for Allen and Watts to come over to my office at the courthouse; and they said the people were coming in under that order from Duke, and that they had sent to Duke, and he said that it was a mistake; that he hadn't sent any telegram, and that they didn't need any help at Scooba at all; and he said he supposed the people would all go back.

I said to him, "I wish you would get them to go back; this ain't the way to do business. You claim that you want us to have a fair election, and the whole town parading the streets in arms, and men coming in every few minutes with arms, and at every fork of the road there are men stationed with guns." I said, "This is damnable, Watts."

ALL SCOOBA IN ARMS.

A gentleman named J. M. Roberts went from my town that morning. I sent my son, a boy about fifteen, to Scooba that morning for a gentleman that was to meet him at Meridian to come out to my house. He went to Scooba, and the man was not there, and he got excited about the crowd, and came back home. Mr. Roberts came back with him under great excitement, and told me that all Scooba was in arms; that the whole country was in arms down there, and that they had killed or run Senator Gilmer off, they didn't know which.

IMPOSSIBLE FOR AN ELECTION TO BE HELD AT SCOOBA.

I got a note written by a man named T. H. Orr, down there stating that it would be impossible for an election to be held at Scooba; that the whole country was in arms, and that the negroes, he reckoned, would all run off.

I sent for Mr. James H. Brittain, and some others, and told them, says I, "Gentlemen, you can take the election." That was about 4 o'clock Monday evening, I suppose—I am a little ahead of my story; I will go back a little.

MEN WITH ARMS STACKED LIKE SOLDIERS—GOING TO HAVE A FAIR ELECTION.

About 2 o'clock that day, Mr. Lee, the president of the board of registrars of that county, came in from the western part of that county, where he lives, and came over to the court-house and seemed to be considerably excited.

He said, "Judge, I am surprised to see you here." I says, "By God! I am here yet; but things don't look very well, Jack." He says, "What are you going to do?" I says, "Let us try and hold the election if we possibly can, some way or another. I don't know whether we will be able to have any election or not."

He says, "There are one hundred and fifty or two hundred men, it looks to me like, right down here, a quarter or a half mile at the cross-roads. They are all stationed down there just like soldiers, with their guns stacked up. They stopped me and told me that they were not going to trouble me; for me to go on; they were just going to have a fair election, that is all; that they were intending to see that the election was a fair election; and that Chisolm had been carrying things high-handed there long enough, and that they intended to see that the election was fair."

Mr. Lee remarked to me, "We cannot hold any election." Says I, "Let us try anyhow; let us see; let us wait a while longer and see."

Well, after a while, some one told me that Gilmer had got to my house, which was 250 or 300 yards from the court-house, I suppose.

"YOU CAN TAKE THE ELECTION ANYHOW."

Just as I got this note from this man at Scooba, stating what he thought about the election there, I went over and told him—says I, "Mr. Brittain, you all promised this morning that these men should leave town after you found out there was no trouble at Scooba. I have got a letter from there stating that the whole country is in arms at Scooba, and that there is a regiment of Alabama men over there." Says I, "You can take the election anyhow, and run it just as you damned please." Says I, "Gentlemen, if this is an election I am sure that I never knew what an election was before. Here I am with ten men, and here is three hundred or five hundred men in town with five hundred guns, perhaps, and I have got a pistol."

"I WILL FIGHT ANY TEN OF YOU."

Says I, "Damn you, if any ten of you will be satisfied I will fight any ten of you, if you will only let me have a fair election."

He says, "We don't want to have a fight." I says, "I know that damned well; you don't want to fight, but you don't intend to let us hold an election."

He says, "We are going to have a fair election; but the damned niggers have ruled this county just as long as we intend to let them."

Says I, "God damned if I ain't as white as any of you, anyhow."

He says, "You run with a damned black crowd."

I says, "Notwithstanding that, my character is as white as yours; and I am sure that I stand as fairly with the community as you do."

At that time there were coming around the corner about fifteen or twenty men with their guns, looking down the street in the direction of where I was; and my depnty sheriff, Mr. Rosenbaum, says, "For God's sake, go home; don't stay here any longer."

AFTER GILMER'S SCALP.

About that time Mr. Hobart came and said that Gilmer was at my house; and I went on, and Gilmer met me and seemed to be very much excited and fatigued, and said that he had had a terrible time in getting over there; he had walked most of the way, and the road was picketed all along, and he paid some one $50 to pilot him through where they were picketed. At some place he said he had struck a democrat and he told him that they were after his scalp, and he gave him $50 to pilot him through. A man by the name of Sellers was the man that he paid the $50 to.

TOLD THEM TO TAKE THE ELECTION AND RUN IT.

I then told Dr. Fox—E. Fox—who came up to my house, that they could take the election and run it as they damned pleased; that I had fought for the equal rights of all men without interfering with any man's rights in the world, and had tried to be a good citizen. He said, well, nobody had anything against me at all; it was my politics; said I, "My politics are my own, and I have a good right to them; but I am done as far as I am concerned. In the first place," I says, "you know you won't let me hold an election; the crowd has come in here for the purpose of killing me if I attempt to hold an election."

Says I, "Probably you would rather I would not take any part in the election rather than kill me; but you are determined to kill me if I do it, and I will not be a party to a fraud or anything of that sort, and I won't have anything to do with the election."

REGISTRAR'S BOOKS TURNED OVER TO THE DEMOCRATS.

I said I would give up the books—he said that they hadn't got a book in the world. He asked me then where Lee was. I told him that he was making his way home as fast as he could—that was the president of the board of registrars. I said, "He has the control of the books. He ordered the books locked up in the safe of my office, and you had better get permission from him, and I will turn all the books over to you." He got on his horse and went after Lee, and came back and reported to me that Lee said to turn the books over to them; and I sent Mr. Rosenbaum down there, and he turned over all the books to them.

THE NEGROES ASK WITNESS TO LEAVE HOME.

About sundown, I suppose it was, there came a crowd to my house—Mr. Rosenbaum and Mr. Hobart and Mr. Poole was up at my house—and there came a crowd of negroes up there and asked me to leave home, and

said that they knew that they were intending to kill me if I didn't do it. I had my doubts about that, but my friends who were with me there urged me to leave home. I don't think that they would have killed me if I had staid there; I didn't think they would come to my house after me; that is my honest opinion about it. There was a very large crowd in town, however, and some of them I was fearful was getting drunk, from the demoniacal sounds that they made, hollering, hooting, and dancing like wild men up and down the streets. I went to Mr. Hobart's house, I suppose half a mile from my place, and we went from there down below his house in the woods and staid there until about 11 o'clock that night, and then came back up to his house and slept.

The next day there came such terrible tales to us about this regiment of Alabama men being there, and I knew that if they were there they were after me, because me and them had had some personal difficulty about a killing that Gilmer had been in—the killing of a young man by the name of Dawson at Scooba, the night before that. I was sheriff of the county, and they wanted me to deliver Gilmer up to the mob, and I refused to do it, and they got very much enraged at me about it.

WHY WITNESS SHOT DILLARD.

Judge Dillard wrote some very severe articles about me, and I replied to them through the papers. I had never seen the man in my life, and when we met in Meridian there was an introduction then by Judge Love, an old friend of mine and a friend of Dillard's, and Dillard commenced abusing me, and me and him had a fight, and I shot him.

STAYS IN THE WOODS THAT NIGHT.

When they told me that, I tried to keep out of the way, of course, if they were there. I was not really afraid of the people in my own county, for I had quit and turned over the election to them; but after they told me that these Alabama men were there I was alarmed, and I kept in the woods that day, staid in the woods that night, and the next morning I came home.

"I'LL BE DAMNED IF I'LL HIDE ANY LONGER."

I told the crowd there, "I will be damned if I hide any longer; I am going home; I am going home anyhow, let the consequences be as they may." I swore I was not going to be a runaway any longer.

After dinner I went to the court-house. There were a good many men in town, and they all treated me very cleverly. They had held their election. There were very few votes polled, as I understood.

ONLY THREE REPUBLICAN VOTES POLLED.

By the CHAIRMAN:

Q. Do you mean very few votes polled in the aggregate, or very few polled on the republican side?—A. There was none on the republican side, I think, sir; or very few. I suppose there was a tolerably full democratic vote. There were three republican votes polled, I think. I was told that they were polled, but I don't know whether that was so or not.

Q. Were you a candidate?—A. I was a candidate for sheriff, and was the sheriff at the time.

Q. How is Kemper County in respect to the number of white and colored men who are voters?—A. They are about equal. I believe in the registration before the last registration the whites were a few votes ahead.

PROPORTION OF WHITE REPUBLICANS.

Q. Of the white people what proportion are republicans?—A. We have always claimed that we had about 150 or 200 white republicans in the county.

Q. And the white voting population is how large?—A. The white voting population is about 1,300 or 1,400.

Q. You have about one in nine or ten?—A. Yes, sir; we claimed that we had that, and the vote of the county would generally show that, from the fact that the county would generally go from 200 to 300 republican, and it was about equal in numbers, supposing all the negroes to vote the republican ticket, which of course they didn't. There was always a few that didn't. We always claimed, although, that we had 150 or 175 white republicans in the county.

NO SHOWING FOR REPUBLICANS TO VOTE.

Q. What information did you have from other parts of the county as to the election?—A. Well, sir, at McLindon [?] box, several men, old Mr. McGlone and old John A. McDade, both strong democrats, told me that they went down there and they never saw anything to equal it in their lives; that the whole place was in a stir, and guns and excitement, and they said they saw there could be no showing for them to vote for whom they wanted to. They said they intended to vote for me; that I had fed them when anybody else would not do it.

Q. They were democrats?—A. Yes, sir; when they got there and found out they could not vote for me in peace and quiet they left, and there were no votes polled at that box except democratic votes—I think two votes; a one-armed soldier named Thomas Eldridge voted for me at that box, and an old man named Curitan. He says he is a South Carolinian. I don't know anything about him. He has not been long in the country.

At Kelle's store box there was a better vote polled than in any other part of the county, according to the republican strength, I think; very few republicans in that beat. I suppose there was near two-thirds of the usual republican vote polled in that box.

At Scooba box—that is where the republican majority in the county lies—at Scooba and at De Kalb box—that is the county-seat—I expect those two boxes and McLindon box is about a stand-off; they are, perhaps, a little republican. Except those two beats they are largely democratic.

At Scooba box we expected to carry the election by three hundred votes, if we held a fair election. I think the republicans carried that box by eighty or ninety.

DEMOCRATS TEAR UP REPUBLICAN TICKETS.

Old Richard Knave told me that they took all his republican tickets and tore them up, and told him, damn him, he had better go home; and a fellow named Brackett, and a fellow by the name of Lockett, and lots of them, but those are the most respectable, prominent negroes that talked to me, and some of them voted; but old Richard Knave didn't, and I think Brackett didn't; but some of them voted; but they said they ran off the negroes there, most of them. I don't know of my own personal knowledge anything about this, now, as far as the Scooba box is concerned.

Q. Does anything else occur to you in regard to the election that you think is pertinent to our inquiry?—A. I don't know, sir, that there is.

By Mr. CAMERON:

Q. Who were elected to the legislature from your county?—A. A man by the name of Bell.

Q. A republican or democrat?—A. A democrat.

Q. Elected to the house?—A. Yes, sir.

Q. Have you only one member of the house?—A. That is all; we are really entitled to two, but under apportionment which was made over seven years ago we were entitled to but one.

Q. Did they vote for Mr. Gilmer?—A. Yes, sir.

Q. What county is in his district besides your own?—A. Noxubee and Neshoba.

Q. Who was elected senator from that district?—A. Judge Foote.

Q. A democrat or republican?—A. A democrat.

REPUBLICANS ONLY VOTED AT TWO BOXES IN THE COUNTY.

So far as the election in my county was concerned, there was no election there except at the Scooba and the Kelle's store box; I mean that there was no republicans that voted except at those two boxes. There were not twenty republican votes polled at the other boxes where there had been six hundred or eight hundred polled before.

WHY WITNESS DID NOT VOTE.

Q. Why did not the white republicans vote?—A. I don't know, only what they told me. I know why I didn't vote, and the reason why I didn't vote was, because I thought my life would be in jeopardy, at least if I had attempted to have done my duty as an officer; that is, to see that the election was conducted fairly. They told me that they didn't vote because they were alarmed; but few wanted to, and what few did want to vote, some of them, at De Kalb, said that they could not get any tickets; and they heard that they had run me off and killed me, or something; those were the reports.

MADE AN ACTIVE CANVASS.

Cross-examination:

By Mr. BAYARD:

Q. Mr. Chisolm, do I understand you to say that you kept all your political appointments in that canvass?—A. Yes, sir.

Q. Spoke at every place you wanted to?—A. Yes, sir. There were two appointments that I made that I didn't speak at, because I had some personal business to attend to, and I got Dr. Poole and Mr. Rush to fill the appointments; both of them persons of my political faith.

Q. Did you make, Mr. Chisolm, an active and vigorous canvass throughout that county up to the time of the election?—A. Yes, sir; I made a pretty active canvass up to the Saturday night before the election.

Q. And you said that your last speech on the Saturday night before the election was the bitterest of your canvass?—A. Yes, sir; I think it was. It is my opinion that I made the bitterest speech that day that I made during the canvass.

Q. Were not your party friends canvassing the county pretty vigorously with you?—A. Very little, except what I did myself.

Q. And you conducted that up to the Saturday before the election?—A. Yes, sir. The election occurred on Tuesday, and I filled all my appointments in the canvass up to Saturday, except those two I have told you that were filled by other persons.

Q. Because you had other business to attend to?—A. Yes, sir.

WHAT WITNESS HEARD ABOUT MEN REPRESENTING THEMSELVES AS UNITED STATES MARSHALS.

Q. What do you know of persons going into your county and falsely representing themselves as United States marshals?—A. I don't know anything at all, sir, except that there were three men came over there, one of them named Bell, of this place, and a man named Davis, I understood his name was.

Q. As a matter of fact, did they not come over and register themselves as United States marshals?—A. I could not tell you, because I did not look to see how they registered. I only knew that these men in Scooba told me that they told them that they were United States marshals.

Q. Were there any telegrams sent to Jackson to ascertain whether they were pretenders or not, and was it not found out that they were?—A. Well, sir, that is what I heard. I heard they were.

Q. You are aware that a great deal you have stated here was stated upon the information of others?—A. Yes, sir. That is what I heard; and one of the gentlemen, Mr. Newell, told me that he had telegraphed here, and Mr. George said that Mr. Lake said that only one of them was a United States marshal.

Q. What was he sent over there for?—A. This man that was United States marshal?

Q. Yes, sir.—A. I don't know, sir.

THE CAUSE OF THE EXCITEMENT.

Q. That fact of these men going over there and pretending that they were United States marshals created some feeling?—A. That was what the men told me at Scooba.

Q. There was some feeling created about that?—A. That is what Mr. Hab. Woods told me, and Mr. Duke.

Q. How about this telegram from Duke?—A. This man that told me said that he telegraphed that there were arms sent from Jackson to the negroes at Scooba, and that he wanted the men at De Kalb to send runners all through the country, and get all the men they could and meet at Scooba.

DEMOCRATS DENY THAT A TELEGRAM CALLING OUT ARMED MEN WAS SENT.

Q. Upon the reception of that telegram, were couriers sent to the people all through the country?—A. That is what Mr. Allen and Mr. Watts told me. Mr. Duke says that it is a lie; that he never sent them any telegram.

Q. But for some cause the men were sent out under this reported telegram?—A. Yes, sir; that is what they told me.

Q. They said to you that they believed that arms were being sent to the negroes, and they sent out to get the white people to come in and aid them?—A. Yes, sir; that is about the idea.

Q. You say it turned out subsequently that the telegram was either a forgery or hadn't been sent?—A. Mr. Duke told me that it was a damned lie; that he had never said anything about negroes being armed, and that he had never sent that telegram.

Q. Where does Mr. P. H. Gully live?—A. About three miles from De Kalb.

Q. Is De Kalb his post-office?—A. Yes, sir.

Q. What is his occupation?—A. He is a farmer. He has since been mixed up with politics a good deal, and is a politician, to my understand-

ing, there yet. He used to represent the county there during the war. He was a very bitter secessionist.

Q. Does he hold any public office?—A. No, sir.

ABOUT VARIOUS CITIZENS OF THE COUNTY.

Q. Who is Dr. E. Fox?—A. A practicing physician at De Kalb.

Q. Where does he live?—A. At De Kalb.

Q. That is his post-office?—A. Yes, sir.

Q. Where does James H. Brittain live?—A. At De Kalb.

Q. What is his occupation?—A. A farmer.

Q. Does he live near the town?—A. Two miles from town. He is at town nearly every day.

Q. Does he hold any office?—A. None at all.

Q. Where does A. J. Lee live?—A. A. J. Lee lives eighteen miles west of De Kalb. He was the president of the board of registrars.

Q. How far distant is Scooba from De Kalb?—A. Thirteen miles by road.

Q. You were the sheriff of the county at the time of the election?—A. Yes, sir.

Q. And you were a candidate for re-election?—A. Yes, sir.

Q. Of whom did the board of registrars consist?—A. Of A. J. Lee, senior——

Q. He is a republican?—A. Yes, sir.

Q. Who else?—A. I believe it is D. C. Jones; I am not positive about his initials.

Q. What party does he act with?—A. The republican; he is a colored man.

Q. Who is the other?—A. J. E. Stuart.

Q. Is he a democrat?—A. Yes, sir.

Q. Is Mr. Stuart a friend of yours?—A. O, yes.

Q. Did you support him personally for that office?—A. O, no, sir.

Q. Whom was he appointed by?—A. By Chancellor Dennis.

Q. Which one did you appoint?—A. I appointed Lee.

Q. And Lee lived 18 miles away from De Kalb?—A. Yes, sir.

ABOUT THE REGISTRARS' BOOKS.

Q. And how came you with the custody of the books of the registrars?—A. They were locked up in the iron safe in my office.

Q. Who had the key to the safe?—A. My deputy sheriff.

Q. It was your safe?—A. I had control of it.

Q. Was it not your safe as sheriff of the county?—A. Yes, sir.

Q. And for what purpose were those books of the registrars locked up in that safe?—A. They were locked up there for the purpose of keeping them safe, Lee said.

Q. When were you first called upon in regard to those books? By whom was it?—A. I think it was by Mr. Brittain; it was Brittain or Fox, I am not positive which, under so much excitement and one thing and another.

Q. As a matter of fact, when you were first called upon by Brittain for these books, did you not deny that you knew where they were?—A. I never denied anything about it.

Q. Did you or did you not tell him that you had them in the safe at that time, when he first called upon you?—A. I don't know, sir, whether I did or not.

Q. Can you not recollect whether you admitted or denied having the books in your custody? Do you not know that it was after some questioning and answering that you finally admitted that you had the books

in the safe?—A. I know there was no questions asked me to make me answer anything that I knew; there was nothing that I knew but I would answer without any questions being put to me.

Q. Was this on the day immediately before the day of the election?—A. Yes, sir; it was on Monday before the day of the election.

Q. Who was, by law, the proper custodian of those books?—A. The chancery clerk.

Q. Where did he reside?—A. He lived in De Kalb.

Q. Why did he not have them in his custody on this occasion?—A. I am not able to tell you.

Q. He was the person entitled by law to have them?—A. I think he was; that is my understanding. I never examined the law specially, but that is the general understanding, that they are to be in his custody.

Q. You have spoken of a meeting—I forget the name of the place where you made your first appointment.—A. Blackwater.

Q. And where there was a division of time arranged between you and your political opponents?—A. Yes, sir.

Q. Is not a division of time customary in this country at political meetings?—A. It has been up to the last canvass.

Q. Did you not agree to it at the last canvass?—A. I did at that place.

QUESTIONS ASKED AT BLACKWATER.

Q. What was the nature of the question put to you that you declined to answer at Blackwater?—A. Well, if I am not mistaken, I think one of the questions was to know why I hadn't had all the school-warrants paid.

THE QUESTIONS DISRESPECTFUL.

Q. Were the questions disrespectful or improper to be put?—A. Yes, sir; that was a disrespectful question for a sensible man to ask of me, from the fact that a sensible man would have known that I had nothing to do with the payment of school-warrants.

Q. Then it was his ignorance of the school-warrants?—A. No; not particularly that; it was a question asked without—he knew very well that I could not answer it.

Q. Was there any question asked you that was derogatory to you to have answered?—A. I don't know that there was.

WHO ASKED THE QUESTION.

Q. Who was the person who put the question?—A. I think D. C. McClelland asked one of the questions proposed.

Q. Who is he?—A. An old gentleman that lives now at Meridian, I think.

Q. What is his occupation?—A. A farmer.

Q. Is he a respectable man?—A. Very respectable.

Q. A man of good standing in the community?—A. Well, yes, sir; I suppose he is.

Q. A white man?—A. Yes, sir.

Q. A southern man—a native of the State of Mississippi?—A. Yes, sir.

Q. A tax-payer?—A. Yes, sir.

Q. Was there anything in his manner of asking the questions that was unusual?—A. Yes, sir; it was done under a great deal of excitement; his voice was tremulous.

Q. State a few questions that he asked you. Was there any cause for excitement?—A. I don't know that there was anything special. Some of them was to know how it was that the republican party taxed

the people so; what they put such heavy taxes on the people for. Of course I was not a legislator, and had nothing to do with it.

Q. Still, did you think that was an unreasonable question to ask by people who were paying taxes?—A. No, sir; not specially.

Q. You stated that there were parties who said you should not speak?—A. Yes, sir.

Q. Who gave you that information?—A. I stated in my first examination an old man by the name of Bill Bailor told me.

NATURE OF THE THREATS.

Q. Were any of those things said to you, or in your hearing, by the parties who made the threats; I do not mean the persons who informed you; I mean were those things stated in your hearing?—A. No, sir.

Q. Were there any threats made to you personally during the canvass?—A. Well, there was this kind of threats: stating to me that I was not to interfere with the negroes; and, when they gave them tickets, that they would be damned if we should go to them and get them to change them.

Q. That you should not take tickets from the negroes and give them yours?—A. That we should not get the negroes to change their tickets after they gave them democratic tickets.

Q. Who said that to you?—A. Divers and sundry persons said that to me.

Q. Did you regard that as a threat?—A. I regarded it as this: stating to me that I should not be allowed to do what they were going to do. I did not regard it as any special threat.

Q. Did any one in the canvass then specially threaten you?—A. No one that I know of.

Q. Did you witness during the canvass any act of violence upon any one in connection with the election?—A. No one occurred at any speaking I had.

Q. Who were the friends that accompanied you to these various meetings?—A. Generally Mr. Hobart, a farmer in the country there, and a man that pays nearly as much taxes as any man in the country—H. A. Hobart—the late deputy sheriff, and the chancery clerk, and the circuit clerk.

Q. All men of your own party?—A. Yes, sir.

WITNESS AND FRIENDS ARMED.

Q. Were you armed yourself on those occasions?—A. I generally carried my pistol.

Q. How were your friends?—A. They carried their pistols in their pockets.

Q. How many went with you generally when you went to these various meetings?—A. There was more than that with me when I went to Blackwater; but those I speak of, Rush, and Pool, and Rosenbaum, and one or two others, went.

Q. And sometimes other people?—A. Not of my political friends that I recollect of.

Q. Were they personal friends that accompanied you?—A. No, sir; not specially.

Q. And you generally went armed?—A. Always, sir; we had our pistols.

Q. At the time you met this young man, before you got to Scooba, you say you got out of the buggy with your pistol in your hand; why did you do that?—A. Because I saw him coming through the woods.

Q. Had he any arms drawn?—A. No, sir; nothing at all.

Q. You dismounted and drew your pistol?—A. Yes, sir; I just took my pistol out of the buggy; I carried it lying on the seat.

Q. And when you were at the meeting, where did you carry your pistol?—A. Behind, in my pocket, where I have got it now. It is a little old pistol, not very dangerous, but it is all right, you may bet. [Showing it.] This man West was a personal friend of mine.

WHY WITNESS DREW HIS PISTOL.

Q. When you saw a person coming up the road, why did you draw a pistol?—A. The reason why I got the pistol was this, sir, because of the fact of his coming out of the woods. I didn't know but he had just slipped out, and that there was somebody else. I wanted to see whether there was anybody else around. As I said before to you, this young man had met me and made this statement to me.

Q. Did you personally see any men from Alabama in the county on that day?—A. I didn't, sir.

Q. You said that some persons named Dillard had come there?—A. Yes, sir; the Winstons and Dillards.

Q. Who told you they were there?—A. I reckon they were there; several parties told me they were there.

Q. In Scooba?—A. In Scooba.

Q. How far is that from De Kalb?—A. Eleven miles

Q. Your voting-place was De Kalb?—A. My voting-place was De Kalb.

Q. What was the personal encounter that you had with one of the Dillards?—A. It was a difficulty that grew out of the killing of a young man named Dawson previous to that. It was a year previous to that, before the election in 1873.

WITNESS REFUSES TO DELIVER UP HIS PRISONERS.

Q. Who was it?—A. It was a man by the name of Davis, he and Gilmer killed young Dawson at Scooba in a fight they had there; and there came an armed posse—the circuit clerk was there at the time, and he arrested Gilmer and Davis, and delivered them to me—there came an armed posse the next morning after that to take them back to Scooba, and I had been notified that there was a great deal of excitement in the county, and I refused to deliver the prisoners, telling them that they were in my charge as sheriff of the county, and that I was responsible for them, and that they were ready to be tried at the time if they wanted to try them. I told them that they could not get them at all.

Q. Was any assault made upon you?—A. No, sir.

Q. How came Dillard shot?—A. That was last year that me and Dillard had the difficulty. After this refusal of mine to deliver these men to this crowd, Dillard wrote several severe articles, and addressed them to Alcorn, some of them, and some of them to Linchman, and most of them were published in the Meridian Mercury; one was published in the Clarion, abusing me for my conduct up there.

Q. What for?—A. He said that I had defeated the ends of public justice.

Q. Were the Dillards Alabama people?—A. Yes, sir.

Q. What instigated him to make these attacks upon you?—A. I suppose he did it because I refused to turn over Gilmer and Davis to the crowd; and he said in some of his articles that I had defeated the ends of justice; that I had kept them from being indicted before the grand jury of the county.

NO INDICTMENTS EVER FOUND AGAINST GILMER AND DAVIS.

Q. Were these men ever indicted?—A. Neither of them were indicted; the grand jury didn't find any indictments against either of them.

Q. Was the grand jury republican?—A. Yes, sir; it was about half and half.

Q. And was it selected by republicans?—A. No, sir; there was a majority of republicans on the board of supervisors.

Q. No indictments were found in those cases?—A. No, sir.

Q. And this was made the basis of an attack upon you?—A. Yes, sir.

WHY WITNESS SHOT DILLARD.

Q. What personal altercation did you have then with Dillard?—A. It was at Meridian, about twelve months ago last February. I was returning from Jackson, and stopped over at Meridian on business, and me and Dillard met in Judge Ham's office, who knew the bitter correspondence that had passed between us, and knew our feelings toward each other. I did not know Dillard, myself, at all; didn't know the man.

Q. Never had seen him.—A. Never had seen him before that morning; and a big man came in—he was brought in by Senator Fewell—and they all seemed to be greatly excited, and I was dumbfounded myself.

Judge Ham said, "Judge Chisolm, walk into Judge Poole's office and let us talk this matter over," and when I got in there he said, "That is Dillard."

Says I, "Hell! is that Dillard?" He says "Yes, that is Dillard." and I started to walk out, and he says, "Come back, into the office; Judge Dillard is a very bad man; he is a desperate man, and he is drunk to-day, and I would advise you now to try and avoid meeting him at all if you can."

Says I, "Poole, this is one of the days I don't feel like fighting at all; I aint got any fight in me to-day." He said, "I don't think you do want any difficulty with anybody." Says I, "I don't."

In passing along the street I went into the People's Savings-Bank to make some deposit of money and to take the receipts of the cashier, and me and him was talking, and he asked me where I was going, and I told him I was going down to Judge Love's; that I had promised to pay some money for a man in that county; that I had obligated myself to pay; and I walked down the street, and I saw Judge Love and this man Dillard about twenty steps before me.

I saw that there was nothing for me to do but to walk right on; and I went on and spoke to Judge Love, and shook hands with him, and he says, "Allow me to introduce you to Judge Dillard;" and I remarked that we didn't talk; and Dillard then commenced abusing me, with his pistol in his hand, and mine was not out; my hands were loose.

WITNESS FIXES HIMSELF.

I staid there and took it until I got a chance to go across the street, and then I fixed myself and came back, and we met on half-way ground, and I shot him.

Q. What do you mean by fixing yourself?—A. To have my pistol like his was; and then we met on half-way ground, and then we shot; and I went back there and gave myself up and stood my trial, and he has never been there since.

Q. That was a personal encounter?—A. Yes, sir; a personal thing.

Q. Why did they not go to the town where you live if they came for personal reasons—to hurt you?—A. I learned that they did come over there that night.

MORE ABOUT THE QUARREL WITH DILLARD.

Q. These men?—A. That about six or eight of them had come across

and had met them down at what they call the new grave-yard, and that they were camped there.

Q. The quarrel between you and Dillard was a personal quarrel?—A. Yes, sir.

Q. Did he shoot you at all?—A. He shot at me.

Q. How many times did you hit him?—A. I didn't shoot but once; I hit him that time, and I knocked him down with my pistol.

Q. Was he with these men that you speak of?—A. He came to Scooba. He was not there at all himself. His sons were there and his brother, but the old judge was not there, as I learned; but I don't know, I didn't see any of them.

Q. All you have stated about their presence there is hearsay?—A. Yes, sir.

Q. Did you know anybody else there from Alabama except them?—A. Only from hearsay.

Q. As far as your knowledge goes you do not know whether they were there or not?—A. As far as my own knowledge goes, I don't.

Q. Who was this person with whom you had a conversation in which you agreed with him in damning carpet-baggers?—A. I stated his name, I believe, in my first examination; it was Mr. Carter, I believe; we are neighbors. I just remarked that there was no "damned carpet-baggers," as he called them, in my county, and hadn't been there, but I didn't care anything about the carpet-baggers.

Q. Did you consider that your State had suffered from that class of people?—A. I didn't tell him so. I think there has been probably some occasion for complaint; but in my section of the State none that I know of; and I know nothing of that except from newspaper reports.

PERSONAL RECORD.

Q. When did you come to Mississippi?—A. I came to Mississippi in 1846, I think.

Q. What business were you engaged in before and during the war?—A. I was probate judge.

Q. Of that county?—A. Yes, sir.

Q. Did you continue to hold it during the entire war?—A. No, sir; there was two years I didn't hold it during the war.

Q. Did you perform any military service?—A. Yes, sir; I was on the post there and picked up the conscripts in De Kalb; and then I was out with the militia one time. I was wherever they called me, but I was particular not to be called very far off if I could avoid it. That is nothing to do with this.

My people had all gone to the war. It was not that I didn't believe in the cause of the South and was not interested in it. I voted for secession, though my brothers none of them voted for it. I have several brothers in the county, and they went and fought, but I didn't.

MORE ABOUT THE REGISTRARS' BOOKS.

Q. Did you state to Mr. Brittain or to any other citizen of De Kalb before those books were called for that there was not going to be any election?—A. So far as I was concerned, I stated that publicly all the time from the time I called them over there. They promised me in the morning that as soon as they found out there was to be no fight at Scooba that these men should go back home; but they did not keep their promise, and these men came in troops and encamped there.

Q. Where did these men on horseback vote?—A. Some of them voted at De Kalb, I suppose.

Q. Did you see them?—A. I saw them come into town.

THE NUMBER OF ARMED MEN IN TOWN.

Q. How many did you see yourself?—A. I saw myself that day, passing backward and forward, at least some two hundred and fifty or three hundred and fifty men.

Q Men whom you knew?—A. I knew most all of them; some of them I didn't.

Q. From what distance had they come?—A. They that I knew, some of them had come twelve miles, and some ten, and some five, and some two miles.

Q. What time of the day was that?—A. Some were from Blackwater, a distance of twelve miles, and I suppose they were in there, I will say, about 9 or 10 o'clock.

Q. How long did you remain in De Kalb on election-day?—A. I was not in De Kalb on election-day.

Q. You left the night before?—A. Yes, sir.

Q. When did you see these people?—A. On the morning before I left.

Q. Did you see them at all on the morning of the election?—A. No, sir.

Q. Do you know where they were on election-day?—A. I was not there.

Q. Then what passed in De Kalb on election-day you know nothing of personally?—A. I don't know a thing about it.

Q. Do you know personally what happened at any other polls on election-day in the county?—A. I do not.

By Mr. McMillan:

Q. Who is your chancery-clerk?—A. Dr. F. M. Poole.

Q. Who were the gentlemen that inquired about the registrar's books?—A. I think it was a Mr. Brittain and Mr. Fox—I am satisfied one or both of these men.

THE REGISTRARS' BOOKS AGAIN.

Q. Were they judges of election?—A. Had nothing to do with it at all.

Q. Mere citizens?—A. Mere citizens; but I am not positive, after going out and reflecting about it, but I stated to them when they first asked me that I knew nothing about the books, and afterward my deputy came to me and told me that the books were locked up in the safe; and then I told them as soon as he told me that the books were in the safe, and I says, "If you will get permission from Lee, the president of the board of registration, I will turn the books over to you."

Q. Did you hear of Mr. Dillard coming from Alabama to make some speeches in Mississippi during that campaign?—A. Yes, sir; I didn't meet him anywhere there, but I heard of his making several speeches.

Q. Did he make any speeches in that county?—A. He didn't that I know of; and of course I would have heard of it if he had.

SILAS GILES—KEMPER COUNTY.

NEGROES ADVISED TO ARM.

ABERDEEN, MISS., *June* 27, 1876.

Silas Giles (colored) sworn and examined.

By Mr. Bayard:

PERSONAL STATEMENT.

Question. Where do you live?—Answer. I live in Kemper County, Miss.

Q. What do you for a living?—A. Farm, sir.

Q. Were you there during the summer of 1875 and on election-day?—A. Yes, sir.

Q. How long have you lived there?—A. For fifteen or twenty years; resided right there in the county.

Q. Where were you during the canvass and during the election?—A. At Scooba.

KNOWS GILMER AND CHISOLM.

Q. Do you know Mr. Gilmer?—A. Yes, sir, quite well.

Q. Who was he?—A. A gentleman that kept store at Scooba there at the time; I don't know what office he was in.

Q. Was he a candidate for any office?—A. I think he was at the time.

Q. What party did he act with?—A. With the radical party.

Q. Who was Mr. Chisolm?—A. Well, sir, he was the sheriff at De Kalb.

GILMER AND CHISOLM SAID TO HAVE ADVISED THE NEGROES TO ARM.

Q. Did you know of any advice which Judge Chisolm or Mr. Gilmer gave to the colored people in reference to going to the election armed?—A. I did not hear it, sir, myself; I never heard it, but it was the rumor out in the country that they advised them to come prepared on the day of the election; that if anything should happen they should be there prepared with arms, and I suppose a good many of the colored people undertook to do that.

WHITES FIND ARMS NEAR THE POLLS.

Q. Do you know whether, as a fact, there were arms at or near the polls belonging to the colored people?—A. I know the fact to be this, that there was a squad of arms about 200 yards from the depot found by a party of some white gentlemen—thirty or forty guns. I was present at the time when it was done. They found they were secreting some arms there at that house, and they went over and captured them, and carried them off down town.

ARMS PUT IN DUKE'S HALL.

Q. Where were those guns put?—A. In Duke's Hall; he has got a hall, and they were put in it and kept there until the owners of them came for them. They were given out to them when they came there for them.

Q. Who were the owners?—A. I don't recollect.

Q. They were discovered on the day of the election, and carried over to this place?—A. Yes, sir.

WITNESS HEARD THAT THE ARMS BELONGED TO NEGROES.

Q. Do you know, as a fact from the colored men, that they got their arms from there afterward?—A. Yes, sir; I heard that they had got them all.

Q. Do you know any men to whom the guns belonged?—A. Yes, sir; I knew some men that had their guns there.

Q. You were in the county during the canvass?—A. Yes, sir.

Q. And among the colored people a good deal?—A. Yes, sir; a great deal among them.

NO INTIMIDATION; A QUIET ELECTION.

Q. Was there any attempt made to intimidate them; did they say that they would not be allowed to vote as they pleased?—A. None at all: they were allowed to vote just as they pleased, from all the advice

that I heard. I was at Scooba the day of the election, and the colored men came in very heavily; a great many of them had issued their tickets, and when the polls were opened they were allowed to vote just as they pleased. I never saw a more peaceable, quiet election in my life.

NO ARMED WHITES AT THE POLLS.

Q. Were there any white men armed there, that you saw at the polls?—A. No, sir.

Q. There were no armed men there?—A. No, sir; I don't believe there was an armed man in Scooba that day. But the rumor came out about the colored people fetching arms in; and when the democratic party got hold of it they were searching round, and somehow or other they heard that these colored folks were stacking their arms about 200 yards down in a little hollow across the railroad where there are some colored folks' houses, and they went to see about it, and finally they succeeded in finding thirty or forty guns well charged and loaded, and stacked up in that house. They just gathered them up and put them up in Mr. Duke's Hall.

NOTICED THAT THE COLORED PEOPLE SEEMED DISCOURAGED ABOUT SOMETHING.

The colored people, a good many of them, a great many of my friends were there, and I discovered in the morning that I did not see Mr. Gilmer and Mr. Chisolm there. Every time I comes to town I generally sees them and talks with them more or less. I did not see either one of them there, and I noticed that the colored people seemed to be discouraged about something. Says I, "What is the matter; why don't you go up and vote?" They says, "There ain't one of our men here; Gilmer and Chisolm, none of them ain't here;" and they all left most.

A GREAT MANY WENT OFF WITH THEIR TICKETS.

I stated to them that they had got nothing to prevent them from voting; that the polls were open, and they would not have any trouble. They said that they did not know whether they would vote at all. There was a crowd of people started off. Says I, "Don't go away, there is good order about the door, and just as soon as you get a chance you go in and vote."

A great many of them went off with their tickets in their hands without voting, simply because they did not see Mr. Gilmer and Mr. Chisolm there, and I laughed at them for that. I told them that I thought that was not very sensible; that there were men there appointed to attend to the election and they might vote if they wanted to.

They said there would be a day for them after awhile. I told them that that was the only day, and that they had better make the best of it; that if they did not vote that day they would not get a chance to vote at all.

WITNESS VOTED THE DEMOCRATIC TICKET.

Q. Did you vote yourself that day?—A. Yes, sir.

Q. What ticket did you vote?—A. The democratic ticket.

Q. Did you do it without any compulsion?—A. Without any compulsion whatsomever, sir. It was through a free, good, open heart.

PERSONAL RECORD.

By the CHAIRMAN:

Q. Do you own any land?—A. No, sir; I don't own any land.

Q. Do you hire?—A. I lease land.

Q. On shares?—A. Yes, sir; what you call renting, sir.

Q. From whom do you lease?—A. From Mrs. Giles, the land-holder.

Q. Were you with her before the war?—A. Yes, sir; I am with the lady that raised me, old Mrs. Giles; she raised me from a child. I never went away; has been there all my life.

Q. Has she any sons on the place?—A. No, sir; no child at all; her only son is dead—three or four years ago.

Q. How much land do you rent?—A. I rent about twelve or thirteen acres of land. I have got a small family, and it depends about the labor I can get how much land I can take in.

Q. Do you hire anybody to work for you?—A. Yes, sir; I hire men to work for me; I hire them and give them wages—such a part of the crop. I have a little team, and generally tries to get labor enough to make my team profitable, not to have any surplus team around me; I generally hire two negro men, besides myself, and one woman hand; that generally consumes all the team that I have.

WITNESS A DEMOCRAT MAN.

By Mr. CAMERON:

Q. How long since you commenced voting the democratic ticket?—A. Well, sir, I have voted the democratic ticket ever since the second year of the surrender.

Q. You have been a democrat right along since that time?—A. Yes, sir; right straight along; always has been right straight along; the first time I voted, and the only time; and I have always been that way—a democrat man.

SUMMONED BECAUSE HE WAS A DEMOCRAT.

Q. Who requested you to come here as a witness to-day?—A. No one in particular, sir. Mr. Ellis, from Scooba, told me that I was summoned to come up here, and I came up with him. I was not requested by any one in particular.

Q. Mr. Ellis told you that you were summoned?—A. Yes, sir; he sent me word that I was summoned here. I live about four miles from town in the country.

Q. Mr. Ellis knew that you were a democrat?—A. O, yes, sir.

Q. He knows that you have been a democrat since you have been in politics at all?—A. Yes, sir.

By Mr. MCMILLAN:

Q. Where did you vote?—A. At Scooba Depot, Kemper County.

WHY THE REPUBLICANS WOULD NOT VOTE.

Q. On the day of the election, when the negroes there spoke to you, they told you that Mr. Gilmer and Mr. Chisolm were not there, and that was the reason they did not vote?—A. Yes, sir; they said that they were not satisfied.

Q. Did they say the reason was because Mr. Gilmer and Mr. Chisolm were not there?—A. Yes, sir; they said because none of their men was not in there; and, says I, "Ain't you got your tickets, men?" Says they, "Yes; but you can't make us vote to-day." I advised them to make use of their tickets some way or other, just as they pleased. They said that some other time would do just as well.

J. E. STEWART—KEMPER COUNTY.

TO PROVE THAT THE NEGROES WERE ADVISED NOT TO VOTE.

ABERDEEN, MISS., *June* 27, 1876.

J. E. STEWART sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do reside?—Answer. In Scooba, Kemper County, Mississippi.

Q. What is your occupation?—A. A farmer.

Q. How long have you lived there?—A. I have resided there from an infant.

Q. You have lived there up to this time?—A. Yes, sir.

Q. Did you take any part in the political canvass of 1875, and in the election?—A. Yes, sir; I was one of the registrars of the county.

Q. With which political party were you acting?—A. I was appointed as a democrat by Judge Dennis, of our district; he was a radical.

Q. You have always acted with the democratic party?—A. Yes, sir.

Q. Where were you on the day of the election?—A. I was in De Kalb, the county-seat.

NO INTIMIDATION OR VIOLENCE DURING THE CANVASS.

Q. During the canvass was there, of your own knowledge or belief, any intimidation or violence intended to defeat the free exercise of suffrage? If so, state it.—A. No, sir; I was all over the county, and I saw none.

HEARD THAT THE REGISTRARS' BOOKS WERE LOCKED UP.

Q. Do you know anything of the locking up of the books of registration?—A. I know nothing about it personally, only what I heard said by the parties who delivered the books. Our two registrars left the county-seat; the evening before the election we were to meet there in the office, and when I got there I was informed by certain parties that Judge Chisolm had locked up the books in the county safe, and had left, and that his wife had come down and taken the books out, and handed them to the chancery clerk; and that is where I found them the next morning.

BOOKS LOCKED UP TO PREVENT THE ELECTION.

Q. Did you understand what was the object of locking up those books?—A. Well, it was to prevent the election.

Q. Did you hear any negroes say what instructions they received from Chisolm and Gilmer?—A. Yes, sir; the negroes came in there the next day, about forty or fifty, and I asked them, "Why don't you vote?" They said they had been instructed by Chisolm and Gilmer not to vote. They were in the court-house some of them until one or two o'clock.

NO TICKETS OUT SO REPUBLICANS COULD VOTE.

Q. Were there any republican tickets distributed there?—A. No, sir; there was one boy came up in the court-house, and I asked him if he wanted to vote, and he said that his party had no tickets out; and I asked him if they had not written out any, and he said they had not; and I told him that he could have one written if he wanted to vote; and he said, "I don't want to vote."

Q. When you say "boy," that is a southern phrase for a colored man?—A. Yes, sir; that is what we say here.

Q. On the day of the election you were at De Kalb?—A. Yes, sir.

MOST QUIET ELECTION WITNESS EVER SAW.

Q. Was there anything that day tending to prevent any man, white or colored, from exercising his political rights?—A. Nothing that I saw or heard. The day of the election was the most quiet day I ever saw in my life.

NO ARMED MEN; NO THREATS.

Q. Was there any armed force present?—A. I did not see any armed force that day.

Q. Did you hear of any threats of any kind to prevent voting?—A. No, sir.

Q. You know of nothing that passed at Scooba?—A. No, sir; I know nothing in relation to what passed at Scooba at all.

Q. Is there anything else you know about the election, sir, which you wish to state?—A. Well, I believe not.

Q. There was a body of armed men spoken of by Mr. Chisolm as coming into the town of Scooba on Monday.—A. I did not go over to Scooba until night. I know nothing of them; I did not see anything of them.

Q. Were these men gone when you came there on the evening of Monday?—A. I don't know, sir, whether they were or not; there were a few men there, but they were principally citizens that lived there.

Q. Did you see any bodies of armed men there on Monday when you came there?—A. No. sir.

Q. Did you see any at all on the day of the election, at any time?—A. No, sir.

G. F. SIMONTON—LEE COUNTY.

INTIMIDATION OF REPUBLICANS.

ABERDEEN, MISS., *June* 27, 1876.

G. F. SIMONTON sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Lee County.

Q. How long have you resided there?—A. Since before the war. I have been there twenty-five years, I reckon.

Q. Of what State are you a native?—A. A native of North Carolina.

Q. How long have you resided in Mississippi?—A. I came to Tennessee when I was eighteen years old. I staid there until 1851, when I came to this State.

Q. What is your age?—A. I was eighteen when I left North Carolina.

Q. How old are you now?—A. I was seventy-nine years old last May.

Q. This committee is here to inquire if any persons were prevented by intimidation or fraud from voting as they wanted to vote last fall. If you know anything on this subject, will you please to state it?—A. I do not know, only from hearsay.

ARMED MEN AT SHANNON STATION POLLS.

Q. Where were you on election-day?—A. I was in Shannon Station, Lee County.

Q. Were you at the polls?—A. Yes, sir; during the day I was there two or three times.

Q. Was there anything unusual there which you noticed?—A. I think so.

Q. You may just state what you saw.—A. I saw armed men going about there.

Q. White men?—A. Yes, sir; with their guns.

Q. About what number did you see?—A. I cannot tell the number; it would be a mere guess.

Q. Give me your best judgment.—A. I cannot see very well, nor hear very well. I would suppose there was in one case not less than thirty; maybe more in all. However, during the day, the same ones rode in and out; came over after night, and they went up and down the road; a good many men. I did not count all of them. I expect I saw thirty around about Shannon the principal part of the day. Some went off in the trains; went down the road and came back again. I do not know how many.

Q. What did they appear to be doing?—A. I did not see them doing anything, myself.

FIRING ON ELECTION DAY.

Q. Did they fire off their guns?—A. There was some guns fired off during the day. I do not know how many; not a great many, however.

Q. Did you see any armed men in town before the day of the election?—A. O, yes, sir; I have seen them before, too.

Q. White men?—A. Yes, sir.

WITNESS SAW HORSE-COMPANIES AT DIFFERENT TIMES.

Q. How often did you see them?—A. I did not think anything of what I saw passing about before. Saw them very often. I saw companies organized there, but had no arms that I saw. I saw horse-companies there on several occasions before the election; several times, but they had no arms with them that I know of, or at least that I saw there.

Q. You saw a horse-company muster?—A. Yes, sir.

Q. About how many in that company?—A. I do not know; from the appearance, sixty men probably.

Q. How often did you see that horse-company in the town?—A. I saw it, I think, three or four times; two or three times at least; not less than three times.

Q. How long before the election was it?—A. Not less than two or three months before the election.

Q. What did you understand was the purpose or object of that horse-company there?—A. Well, I never heard anything. Some of that company, however, was there the day of the election. I saw them have their guns, but they did not muster there that day.

Q. Some of the horse-company?—A. Yes, sir; some men that were with the horse-company.

HEARD THAT HIS SON WAS THREATENED BECAUSE HE WAS A REPUBLICAN.

Q. Do you know of any threats having been made against your son, who is a republican, on account of his political opinions?—A. I heard some. I did not hear any man threaten, but I heard others say that he was threatened.

Q. You may state the nature of the threats as you understood them.—A. It was a black man told me that he was threatened the day of the election.

Q. Do you know anything of a disturbance there at a republican convention or at a republican meeting in the town?—A. I do not know that

they had any convention; they had some meetings there, I know; the club-meetings. I do not know that they had any disturbance, however. I do not recollect. Perhaps I might if it was brought to my recollection, but I do not recollect now.

GUNS FIRED BY MOUNTED MEN WITHIN A FEW FEET OF WITNESS'S HOUSE.

Q. You may state anything else that you know concerning the election.—A. The night of the election there was a company; they were said to be at Verona; had been down to Okalona. They came up to my house—I do not know how many—on horseback, and fired their guns off within a few feet of my house—a good many of them. My son was there. He had left his office. Did not think he was safe. He had not slept in his office for some time before the election, and a good while afterward.

SON HUNG IN EFFIGY BY THE DEMOCRATS.

Q. For the reason that he did not consider himself safe?—A. Yes, sir; they damaged the office a little. They hung him in effigy there at night, I believe. He received a card with a coffin on it, cautioning him, but that had no name signed to it and no post-office. It was somewhere on the railroad. He supposed he knew who done it, but did not know certainly.

WILLIAM FRANKLIN SIMONTON—LEE COUNTY.

INTIMIDATION AND VIOLENCE DURING THE CANVASS.

JACKSON, MISS., *June* 27, 1876.

WILLIAM FRANKLIN SIMONTON sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Give your full name.—Answer. William Franklin Simonton.

Q. Where do you live?—A. Shannon, Lee County, Miss.

Q. What is your business?—A. I am a practicing physician.

Q. How long have you resided there?—A. I have resided there, in that region of country, since 1849; within fifteen miles of that place.

Q. With which political party are you connected?—A. With the republican party.

Q. Did you take any part in the late civil war?—A. No, sir; I was not engaged in the war on either side.

Q. Where were you during the political canvass preceding the last election?—A. I was in my county most of the time and in the State all the time.

Q. Where were you on the day of the election?—A. I was at my town, my village.

WITNESS WAS ASSAULTED FOUR OR FIVE TIMES.

Q. You may state, doctor, what occurred within your county prior to the election, in the political canvass. Go on and make a statement of what you know within your own knowledge.—A. Well, sir, several months before the election we had occasional acts of violence. I was a sufferer to some extent myself on several occasions. I was assaulted four or five times—five, I think—and without any other reason except political reasons, on account of my politics. I thought I saw tolerably

early that we were going to have a very severe time, and as there were but few white republicans in my region of the country, the burden is pretty heavy on us; and as I thought it behooved us to keep on the side of peace and to be as cautious and prudent as possible, I endeavored to act in that way. But in spite of that I was assaulted several times.

WARNED NOT TO GO TO THE REPUBLICAN CONVENTION.

One of the times—I do not reckon it is necessary to speak of but one of the times—and that was at the republican convention at my county-town, Tupelo, which is the county-town of my county. Well, a few days before that, I received several anonymous communications warning me not to be there, and I was notified by Dr. Cunningham, of Verona, who seemed to be a personal friend of mine, though a democrat, in my office at Shannon, that the sheriff of the county, known as Buck Smith, said he intended to whip me on sight. That was a few days only before the convention. I went ahead any way, and tried to hold the convention.

REPUBLICANS HAD DECIDED TO REMAIN UNARMED.

I was met at the depot at Tupelo. There is a long platform, I suppose one hundred and fifty yards long, and just below the town, where the trains stop, is another. It makes two stops, and when I was just stepping off of the train at the first stopping-place I was somewhat apprehensive of trouble, but determined to go through the best I could. I was unarmed. We had previously at that meeting resolved to have no arms, the republicans thinking by that means we would keep down trouble; and that resolution, too, was made public.

WITNESS ASSAULTED BY THE ARMED DEMOCRATIC SHERIFF AT TUPELO.

I saw this sheriff stepping down from the platform, and just after I stepped down off the train I noticed he had a gun in his hands, and it was held just about this way, [witness indicating.] He had a pistol buckled around him, and one more that I saw. He came in that attitude, approaching me at a tolerably rapid walk, and I met him about midway. It was directly in my line to the court-house. He used some insulting language to me and said that I had said he was a coward. I told him it was no such a thing. He said he could prove it. I told him he would prove what was not so if he did, I had no talk about him at all, and made an effort to pass him, and as I did so (I had turned my eyes away from him for an instant) he struck me on the side of the head. I do not know what he struck me with. I fell in the railroad track and was somewhat addled, although I was up in a little while, I suppose, for the crowd looked pretty much as it was when I was knocked down. I saw little change except that the sheriff was absent. I did not see him.

ASKS THE MAYOR FOR PROTECTION.

I made my way on up to the depot, passed that, and passed the mayor directly on the sidewalk. He was just in the door of the barber-shop, and I said to him what had occurred, and asked him if he could not give some protection there; and I passed on toward the court-house.

IS AGAIN ASSAULTED BY THE SHERIFF.

Q. What reply did the mayor make?—A. He smiled and said "Yes." I passed on toward the court-house alone; and about ten yards from the court-house I was halted from the rear; halted in military style, "Halt!" was the word used. I halted, and was overtaken again by the sheriff and some five or six men—I am not sure about the number. He

asked what I said to the mayor, and I replied, stating what I had said. I had a stick in my hands and drew the stick and was about to strike him with it, when he jerked it out of my hand. It was a loaded stick and he changed the ends of it and struck me with the lighter end; struck at me and knocked off my hat. The crowd then came up and interfered, and I passed on to the court-house.

REPUBLICAN CONVENTION NOT ALLOWED TO TRANSACT PRIVATE BUSINESS.

There I met a number of friends, and some several white men and fifty or a hundred colored men—I believe from fifty to one hundred. I went to the meeting, and there we were informed by the deputy sheriff, who is now the sheriff of the county, that we could not transact any business except such as was public; nothing of a private nature. I expressed my willingness to abide by the orders of the sheriff in that matter. I made a little talk to the colored people there, and when we were through with the public business and wished to attend to private matters we adjourned to the African church, about a quarter of a mile off. On that evening we were not interrupted out there.

WITNESS AGAIN ASSAULTED BY THE SHERIFF.

But that evening at the depot I was assaulted again by the sheriff, and no republican near me—no white republican at least; I was the only one who came to the town on that train. I was knocked down again, and I am satisfied that if I had had any weapons, and had made any efforts to use them, I would have been murdered. I had none and made very little resistance, being a one-armed man, and the sheriff was a large man; a stout man, well armed, and he had backing as much as he wanted; and there were no republicans around me at all.

ARMED MEN AT SHANNON ON ELECTION DAY—GUARD AT WITNESS'S HOUSE TO PREVENT COMMUNICATIONS.

Well, then, next to that, on the day of election there were armed men in my village; somewhere between fifty and one hundred. It is a small village; I suppose about 400 at its best. These men came in armed; a good many of them early in the morning, and marched in and out on the different roads. They made no direct threats to me that day. They posted a posse each side of my office—from three to five on each side about there—and they remained stationed there from about 10 to 1 o'clock, cutting off communication between me and those who were disposed to consult me, to a large extent. Very few would care to pass through that posse.

Q. That posse?—A. Yes, sir.

Q. Were they white men and democrats?—A. Yes, sir; I knew they were white men and democrats. I knew the men personally.

WARNED NOT TO GO OUT OF HIS OFFICE ON ELECTION DAY.

Q. Were you in your office?—A. Yes, sir; in my office. While this was going on I received word; a party came to me and said that they would shoot me on sight, and that I had better not go out. My father was in the office. Says I, "I will go out and see about that." And I did walk out on the verandah back and forth two or three times, and they did not say anything about shooting me. I passed around there after 1 o'clock by the box where the voting was going on, and a young man, who was sitting down against the house—there were several others around the door, besides a number of others who were armed; but this one was sitting down; and as I passed about twenty feet from him he arose and said, "There goes one of the damned scoundrels," and he pre-

sented his gun in the same way as the person I spoke of a while ago. He did not shoot, and did not bring it any nearer the shooting attitude, but just as I represent.

ARMED MEN COME TO HIS HOUSE AT NIGHT—GUNS FIRED—HIS WINDOWS BROKEN.

That night, after the voting was over, a company came. I do not know how many. I could only tell by the hum of the voices and the sound of the guns. I suppose there was something in the neighborhood of forty or fifty. They were mounted, and they stopped in front of my house and hurrahed awhile, and fired off their guns. They knocked one of my windows to pieces. I had Venetian blinds, and late that evening they knocked the flower-stands from the verandah and around the verandah.

MOB BEATS TWO WHITE REPUBLICANS.

I saw two young men there a few days before the election. They were attacked and very badly bruised up; attacked by a mob.

GREAT MANY REPUBLICANS DID NOT VOTE AT ALL.

Q. Were these two young men colored men?—A. No, sir; white men.

Q. Were they republicans?—A. Yes, sir; or their father was a Union man, but I cannot say so much about their politics. Never prominent, I believe, but Union republicans. They came around to my office and told me all about it, and particularly how it came about. I saw a portion of it myself; saw them knocked down; saw the crowds as they attacked them, and they came around to my office; made a second attack upon them near my front door. They did not come in on the day of election at all. A great many did not come in at all, and a great many who did come left without voting, and I advised a great many to leave without voting.

REASONS WHY WITNESS ADVISED REPUBLICANS NOT TO VOTE.

Q. Why did you give them that advice?—A. Well, sir, I really believed that they intended to go to shooting; I really believed it.

THE USUAL VOTE IN THE COUNTY.

Q. What are the relative numbers of the white and colored voters in your county?—A. In the county I cannot give the white people. I can give you the two votes. It ranges somewhere near from 1,000 to 1,400 democratic and something in the neighborhood of from 600 to 700 republican. At my box it is republican. It has been all the time, that is at several elections. My box was 45 republican on the election preceding this last one.

Q. A majority of 45?—A. Yes, sir; of 45.

"FOUR OR FIVE TO ONE DEMOCRATIC."

Q. What was the result at the last election at your box?—A. The last election at my box it was 4 or 5 to one democratic, I think; and I guess—and I guess pretty well—I think it was something in the neighborhood of 200, and the republicans, I think about 68.

Q. The result in the county in 1873 I see was republicans 715 and democrats 1,162.—A. Yes, sir; that is about right, I presume.

RESULT IN THE COUNTY.

Q. And at the last election it was republican 183, and democratic 2,423?—A. Yes, sir.

Q. How do you account for the discrepancy between the vote of 1873 and the vote of 1875?—A. I cannot account for it, sir.

CAUSE OF THE DECREASE IN REPUBLICAN VOTE.

Q. What caused the republican vote to decrease so?—A. They were driven from the polls in some places. I think there were some buying over of votes. I think some sold out. Some men who were on the republican ticket in the county—the lower end of the county—I know they withdrew and did not come to the polls at all, just the day before the election. They have since told me that they were threatened that they would be killed if they did not resign. One, who was on the republican ticket for a certain minor office, did go and vote the democratic ticket. He told me that he believed they would kill him if he did not do it.

SHERIFF (BUCK) SMITH KILLED.

Q. Well, sir, what was the name of the person who was sheriff last fall in your county?—A. I believe his name is H. H. Smith. They called him Buck Smith. He has since been killed. He was killed by the captain of another company. He was captain of one of the regulator companies, and he was killed by the captain of another regulator company, so I am reliably informed.

NO TROUBLE WITH SMITH UNTIL JUST BEFORE ELECTION.

Q. Had you had any personal difficulty with him to cause him to attack you?—A. I never had had the slightest. Up to the first notice I had received from Dr. Cunningham, he had been a good sheriff in the main, and had surprised us all, of both parties, by his kindness and courtesy, until the month preceding the election, when he became desperate. He had treated me with kindness on all occasions prior to this time. We had never had an unkind word until he assaulted me at that depot. When I received that information from Dr. Cunningham, he insisted that I should write a note. I said I did not think it was becoming in me to do so; that if he had any complaints they should be stated, and that it would be time enough then for me to make any statement; but he insisted that I should deny this charge about stating that Smith was a coward. Finally I wrote a note. It was sent to him and he received it, for his deputy sheriff told me he had received it. His deputy is now the sheriff. He has since been elected sheriff.

DEMOCRATS ORGANIZED INTO CLUB AND MILITIA COMPANIES.

Q. Was the democratic party organized into clubs in your county last fall? State generally what you know in regard to that.—A. It was organized into clubs, yes, sir. They had what they called clubs, and they had those militia companies, too.

COMPANIES OFFERED THEIR SERVICE TO WITNESS.

Q. State what companies you refer to in relation to the organization of militia companies?—A. Well, I know that they organized that company and offered its services to me. I had been appointed brigadier-general of militia by Governor Ames, and some of those companies tendered their services to me by dispatch; one to me from Verona, and I forwarded the dispatch to Governor Ames. I said I had no authority to organize militia there at that time, in reply to them.

OTHER COMPANIES IN THE COUNTY.

Q. What other companies were organized in the county, as far as you know?—A. There were two or three; I understand that two of them considered themselves separate companies. I believe that they had separate officers. There was one down in the north part of the town that embraced the young men in and around town. Three in the lower portion of the county. I know of but one at Verona, the next town

above me. But one at Tupelo. I do not know how many others around, but several others. I could not speak with any certainty as to the number. I would suppose, though, there were some eight or ten companies.

Q. Of about how many did they consist?—A. I saw them muster on one or two occasions, one of them; I saw them muster several times in the lower part of the county. They passed right around our village several times. I think they numbered, when I saw them, somewhere about fifty men.

COMPANIES NOT ARMED WHEN WITNESS SAW THEM.

Q. Were they armed?—A. They were not armed when I saw them. That was after the order from Governor Ames had been issued for them not to make any further demonstrations that they mustered; but they did not have their guns with them. I heard of them frequently mustering, but never saw them with their guns.

Q. Were there any cavalry companies?—A. That was a cavalry company that I speak of.

Q. Is there anything else, doctor, which you wish to say?—A. I know of nothing, sir.

CROSS-EXAMINATION.

By Mr. BAYARD:

Q. What was the sheriff's name?—A. I stated his name was H. H. Smith; they called him "Buck." W. H. it may be.

Q. How long has he been dead?—A. He has been dead two or three months; he was shot, sir.

RECEIVED NOTICE JUST BEFORE THE CONVENTION.

Q. What was the time of your receiving this notice given you by Dr. Cunningham from the sheriff?—A. That was a few days before the convention met.

Q. When was that?—A. The republican county convention which was to be held—well, I cannot say definitely about the time. I suppose it was somewhere not far from the first of October.

Q. Did you put a full ticket in the field?—A. I believe we had a full ticket.

Q. Sheriff and all?—A. Yes, sir.

THE COUNTY DEMOCRATIC.

Q. The county convention was overwhelmingly democratic and had always been so.—A. Yes, sir; we had elected one officer there once; we elected a legislator, but it was an accident.

Q. Was there a split in the democratic side?—A. Yes, sir; and we had one that we elected on our local ticket; we had a ticket merely to strengthen the State ticket.

Q. And to keep up the organization?—A. Yes, sir.

Q. Did the sheriff give Dr. Cunningham that message for you?—A. I do not think that he did, sir.

DOES NOT KNOW WHY THE MESSAGE WAS SENT.

Q. What had ever been between you and Cunningham that should cause him suddenly to send you so hostile a message?—A. Between me and Smith I suppose you mean. That is a thing I know nothing at all about.

Q. Had you had any dispute?—A. Never; not the slightest.

Q. Had you promised him anything that you had not performed?—A. We had no intimacy, nothing in the world but courtesy.

Q. Was he an intemperate man?—A. Well, he was said to be intemperate to some extent. I never knew of his being intemperate of any consequence at all, as I said before this morning, preceding this election I heard then that he frequently drank to excess.

BELIEVES THE MESSAGE WAS SENT TO INTIMIDATE.

Q. Can you account at all for his suddenly sending a message to you of that kind?—A. I have my reasons for it. That was mainly this, I believe: if I was set at naught, he would count on intimidating the republican vote of the county.

Q. What was the use, when it was overwhelmingly democratic already?—A. Only to increase the vote, sir.

Q. But there was still no necessity for it. Had he been at that time renominated himself?—A. Yes, sir; he had gotten the nomination.

Q. And in the ordinary course of things was certain to be elected undoubtedly?—A. Yes, sir; undoubtedly.

Q. Did you see any one driven from the polls, or whose vote was refused?—A. Yes, sir; I knew of large squads of men, varying from 30 to 50, leaving the town.

NEGROES DRIVEN FROM THE POLLS.

Q. Were they driven from the polls?—A. I did not see the guns trained at them at the polls—not drawn on them at the polls. The men were mustering around the town in squads, not in regular army style, but they were going around the town in squads, and they were threatening the voters.

Q. Who, by name, exercised that day any threats of violence, or actual violence, upon any voter, to your own knowledge?—A. To my absolute knowledge, I know of but the case I mentioned, of the man drawing the gun on me.

Q. Did you vote?—A. Yes sir.

Q. Was that at the polls?—A. I was passing by the polls.

Q. Did you vote then?—A. I did not vote then. I did not propose to vote then.

Q. How far was he from the polls?—A. He was squatting down against the wall.

Q. What was his name?—A. James Whiteside.

NEGRO PUNCHED IN THE BACK WITH A PISTOL AND ORDERED TO LEAVE TOWN.

Q. Do you know of any other case in which there was an act of violence or threat of violence against any individual?—A. I saw no other myself of actual violence. I was informed of others. There was one up in my office. The party himself informed me that as he walked out from my office, he was a few steps away, and he was punched in the back by a party who had a pistol in his hand, and told if he did not leave town he would kill him.

Q. Who were those men?—A. The party who was threatened is named Felix Shannon. The party who threatened him, Ogborne Gorman. Gorman was the man, this Felix Shannon said to me, punched him in the back with his pistol.

Q. What was the name of the man who was punched?—A. Felix Shannon.

Q. You were informed of that by Shannon?—A. Yes, sir; by Shannon.

Q. Is there any other case that you can think of?—A. On that day?

Q. Yes, sir.—A. No, sir; no other in which a gun or pistol or anything of that kind was used that I now remember.

THE REPUBLICAN WHO WAS COMPELLED TO VOTE THE DEMOCRATIC TICKET.

Q. What was the name of the republican who voted—he being a candidate for office—voted the democratic ticket because he was threatened!?—A. His name was Fields Barnabas.

Q. Where did he live?—A. Near Shannon, sir.

Q. That is your county-town?—A. No, sir; the village where I live.

Q. And he told you that he came off the ticket and voted the democratic ticket through intimidation?—A. Yes, sir.

Q. When were you commissioned by General Ames as brigadier-general of militia?—A. I do not remember the time.

NO ARMS SENT TO WITNESS.

Q. In 1875?—A. It was during the year 1875; yes, sir.

Q. Did you ever have any arms sent you?—A. None at all.

Q. Did you have any ammunition?—A. No, sir.

Q. Did you ever apply to him for any?—A. None.

NO COMPANIES ORGANIZED BY WITNESS.

Q. Did you say you had or had not organized any companies under that authority?—A. No effort was made at all. I advised him that it was too late to do anything.

Q. What companies were tendered and declined?—A. The only company tendered to me was by dispatch from Verona to Shannon.

Q. Who was the person?—A. It was a Verona company. I cannot give the name signed to the dispatch.

Q. Were they whites?—A. Yes, sir; whites, and democrats.

Q. Do you remember the name of the officer?—A. I do not know.

A COMPANY OF DEMOCRATS TENDERED AND DECLINED.

Q. What was the other? You declined both?—A. I replied by dispatch to this one, that I had no authority to organize militia at that time, and forwarded the dispatch to Governor Ames.

Q. What answer did you get from him?—A. I do not remember what the answer was. We exchanged several letters about that time, and I went down to see him.

TOLD THE GOVERNOR IT WAS TOO LATE.

Q. Did he tell you or did he not tell you to take these companies?—A. He asked me my opinion, and I said I though it was too late to do anything. It would bring about a massacre if we did make any effort to do anything there. I told him it would precipitate the difficulty. "Well," says he, "that is what you all tell me." I remember his answer precisely: "That is what you all tell me."

HOW THE DEMOCRATS INTIMIDATED REPUBLICANS.

By Mr. CAMERON:

Q. What did the democrats do in the way of intimidating the republican voters in that county before the day of election?—A. Well, sir, the principal plan adopted was, I think, that of warning them not to vote the republican ticket, and not to vote at all unless they voted with them. And they stated that they were determined to carry this election, and if they did not vote with them they would have to leave the country; could not eat their provisions; they would not feed them. And they were threatened variously and warned. I heard some of the remarks; heard it from the stand.

Q. State what you heard from the stand.—A. I heard them use that kind of language, warning them not to vote at all unless they voted with them, and if they did vote the republican ticket they would have to leave the country.

DEMOCRATS REFUSED JOINT SPEAKING.

Q. Was that in a public meeting?—A. Yes, sir; democratic speaking. There was no joint speaking. I tried to have joint speaking. I proposed to join them in discussion, but they refused it; in fact, republicans had no opportunity of making any canvass there at all. A man was taking his life in his hand. It was, in fact, that way when we staid about town and made ourselves as small as possible. In my office I was informed by a personal friend, who was a democrat, who was hunting me a considerable time, that there was a guard around my office between my residence; and I saw them several times, men about my office. Sometimes they were armed and sometimes they were not.

Q. Were public meetings held through the county during the canvass?—A. Very early there were some republican meetings held.

NO REPUBLICAN MEETINGS AFTER THE CONVENTION AT TUPELO.

Q. About what time did you discontinue your meetings?—A. Well, sir, after that convention at Tupelo no further meetings were held, I think.

Q. Why did you not hold meetings after that?—A. We did not think we could do it. I did not suppose there was a republican who thought his life was safe. No man of any prominence in the party I know, who wielded any influence. I had canvassed the congressional district, did it in 1872, without any fear at all, and spoke in every county in the district, and attended every meeting, and spoke in different places all over the county, but I did not think I could do it that year in safety, and the only speech I did make, or the only effort in speaking, was at Tupelo at the convention, that day when I was knocked down and assaulted; and I would not have made that but for the trouble. It was a little peace talk.

NOT HEALTHY TO TALK POLITICS MUCH.

Q. Rather than a political speech?—A. I had no politics about it. It was not very healthy about this time to be talking politics much.

Q. For republicans?—A. For republicans; no, sir. It was not politics at all; it was war; I think a war on one side without any chance for any on the other side. We did not have arms, and we could not use them if we had. There were two many veterans on the other side, and they were determined, and I know them well. I know them as well as any one, I reckon. I was here in 1860 and 1861 when the first troubles were brought about, and it was a great deal worse than then.

WITNESS'S BROTHER IS CLASSED AS A DEMOCRAT.

By Mr. BAYARD:

Q. Your brother was a candidate on the democratic side elected in that county?—A. No, sir; not at that election. My brother is now a democrat; that is, classed with the democrats now. He is a candidate for Congress. He has been a republican until this last year; that is, he was a supporter of Alcorn, and has voted somewhat republican all along until last year. He is now considered, I think, a democrat. He has been repeatedly elected to office before the war. He was colonel of the First Mississippi Infantry during the war.

ROBERT GLEED—LOWNDES COUNTY.

ABERDEEN, MISS., *June* 27, 1876.

PERSONAL STATEMENT.

ROBERT GLEED (colored) sworn and examined.

By Mr. MCMILLAN:

Q. Where do you reside?—A. At Columbus.

Q. In what county?—A. In Lowndes County.

Q. How long have you lived there?—A. About twenty-one years.

Q. Were you there during the summer or fall of 1875, and during that year?—A. Yes, sir.

HOW THE CANVASS WAS CONDUCTED.

Q. Will you state what you know in regard to the manner in which the election and canvass of that year were conducted?—A. The canvass of 1875?

Q. Yes, sir.—A. It was conducted very singular from what others have been, and, as a general thing, very violent. We usually had public meetings, and our meetings were usually separate, that is, the democratic and republican meetings were usually separate. In the latter part of the canvass, in the democratic meetings, the young men who did most of the canvassing and speaking went along, and they had a cannon and pistols and one thing and another around with them, very much like an army. The speeches were generally, a good many of them, temperate, and a good many of them violent, in reference to carrying the election, peaceably if they could, forcibly if they must; there were a good many speeches of that character.

HOW THE ELECTION WOUND UP—BUILDINGS BURNED—MEN MURDERED.

The election in our city and county was wound up on the 2d of November, and on the night before the 2d of November we had a very unfortunate occurrence in our city; three buildings were set on fire, and four men on that night were killed. Well, it was really startling; most of the colored people were run out of their houses during the night, and all the men laid out pretty well, and a good many women. It was the worst time, I believe, we have ever had in that county as far as an election was concerned.

WITNESS THREATENED WITH DEATH.

Q. Do you know any particular acts of intimidation?—A. Well, sir, I don't know of any of my own personal knowledge on the day of the election. I was unfortunate—I presume it may be considered unfortunate—I was a candidate for sheriff in the county, and there was a great many violent threats made against myself in reference to the election, and a good many men really threatened me with death; and I presume had I staid there on the night of the 1st I would not have been here to-day. At least some of the white men considered so; the best white men say they did not think I would, Mr. Billups and Dr. Lipscomb and a good many others.

I do not really know how to describe the scene that night; I could not do it; it was terrific. The fire was in the southern portion of the town. If you never have been in Columbus—it is a town very much like this, only much more lively.

The first fire broke out over near my house. We were at the same end of the town, two squares off from where the fire commenced, at a meeting. We had been informed before the meeting that we would not be allowed to have a meeting, and we went down early, desiring not to have any difficulty, to have the meeting early.

PROPOSITION OF COMPROMISE FROM DEMOCRATS.

There was a proposition made to us by W. W. Humphries, that if we would put Judge Simms on our ticket in place of Judge Lyon we should have a fair election, and if we did not do it the proposition was that we should not vote at all; and that, if we did beat, the votes should not count us ahead.

That was made known to me about Sunday, and we had a little caucus together, consulting together whether we should do this to secure peace on election-day, and we submitted it to the club. It was submitted by another person, and he had spoken about four words just to recommend it to the colored people as the means of securing peace for the election on the next day, when just at that juncture the fire broke out.

WITNESS AGAIN WARNED.

They tried to prevent me from going to the fire. I told them it was right at my house, and perhaps my house was on fire, and I knew it was near there. When I got there I found it was not on fire, but I went to work to get my family and as many of my things out as I could, and took out some furniture, and handed some water to some men on the house; and then a young man came to me and said, "They will kill you when this fire burns low."

EACH OF THE REPUBLICANS LOOKS OUT FOR HIMSELF.

Then I went away back over to the school-house where the colored meeting was held, and made a motion to adjourn. We then adjourned the meeting, and each man looked out for himself.

The next morning I expected to go back up town, and a man came and told me that there was four men killed, and that he did not think it would be safe to go back there; and I went out in the country about four miles, and staid until Saturday after the election; and that was on Monday night.

THE MAYOR SAID IT WAS BEST FOR ME TO GO AWAY.

Saturday after the election I came to Mr. Billups, the present mayor, and asked him, could he protect me as a man and as an officer of the county. He said he would do what he could, but it would be best for me to go away some where for a while, until the feeling died out; that I would be in danger to be there, and that it were best to go away; and I done so.

That I believe, sir, is about the substance I know about it.

FOUR NEGROES MURDERED.

Q. On the night before the election this fire occurred?—A. Yes, sir.

Q. You say there were some men killed that night?—A. Four men were killed.

Q. White men or black men?—A. Black men.

Q. How were they killed?—A. They were shot, so I was told; I did not see them.

Q. Was there any unusual disturbance at the fire or arising in any other part of the town, prior to that or afterward; what occurred, and how did it occur?—A. The shooting was described to me by a young man on Saturday morning when I came in early, and he said that each man was running to the fire, and they had a fire company there, and just in that time the fire was in this way they said there was another fire back behind; and they said that each man that was carrying water—some one said, "Drop your buckets, boys, and get your guns." They said each man put down his bucket and every man run for his gun.

HOW THE MEN WERE KILLED.

An old colored man who was there at the time said that they said, "Let's go and kill the niggers;" and he just broke off to the woods, and did not stop until he got about a mile and a half from town out in the woods.

About that time I presume the killing commenced, but I cannot say because I was not there, but there were four men killed in different parts of the town during the night. One I understood was killed between 9 and 10 o'clock, another one was killed a little later, about 12 o'clock, a third was killed just about the dawning of day, and another one was killed a little after daylight.

Q. Were there clubs organized by the democrats in your town and your county during that canvass?—A. O, yes, sir.

ARMED DEMOCRATIC CLUBS.

Q. What was the character of that organization; were they armed?—A. I don't know that it was an armed organization. There was what was called a young man's club, and the regular democratic club. The young men had a club, and most all of them were members of two or three different companies, and those, they had their guns that were imported to them.

Q. At what meetings did these men attend with cannon; did not you say that they attended the meetings frequently and with cannon?—A. They had cannons and pistols with them just like artillery.

Q. Who had these?—A. The white men, the democratic club; and they would have meetings out in different parts of the county and invite all the persons there, and would carry their cannon out at the meetings.

NEGROES NOT TO VOTE UNLESS THEY VOTED THE DEMOCRATIC TICKET.

Q. Do you know of any particular instance of intimidation during the canvass to the voters?—A. I don't know of any, to my personal knowledge. There was a great many said plainly that we should not vote except we voted the democratic ticket; that if we did not vote that ticket we should not vote at all; if we voted the republican ticket they would throw us out of employment.

On the day of the election, I understood—I did not see that, I could not say positively—that some were taken to the polls and forced to vote that way; that men had arms in their hands at the time. One man would stand by another man, take his vote, and put it in. That is what parties told me.

Q. Have you any knowledge of the manner in which the canvass was conducted in any other county than yours?—A. I visited several other counties—Colfax County—that was conducted on the same order; it is called Clay County now; and in the county below there, Noxubee County, it was very much on the same order. I do not think they had any cannon there, as far as I know, but in Colfax they had a cannon, and here they had a cannon—very much on the same order there.

Q. In Monroe County?—A. Yes, sir. I had invitations to speak about among the colored people, and I was called on to make speeches in different places.

NO DISTURBANCE AT REPUBLICAN MEETINGS.

Q. Were there any disturbances at meetings at which you were called to address the colored people?—A. No, sir; I don't think we had any disturbance prior to the election.

Q. Are there any other facts you can state in regard to the election in your own county or elsewhere?—A. I don't know that there is. In our own

county, it may be proper that I should state this in reference to our canvass there: they canvassed very vigorously, and a great deal of it seemed to be entirely opposed to the principles of the republicans, and a great deal of it against me as an individual.

I was nominated by the unanimous vote of the convention as sheriff, and when I was nominated the people seemed to be very well pleased with it; but afterward along in the canvass they seemed to be considerably opposed to it.

A CONFERENCE MEETING TO SECURE A PEACEABLE ELECTION.

We had a meeting—we had so many threats of violence, we wanted to avoid any difficulty if possible, and we had a meeting at the courthouse. Dr. Lipscomb and Judge Simms, the candidate on the democratic side, were invited to speak, to see if they could suggest some plan by which we could avoid any collision on the day of the election. He and Dr. Lipscomb spoke, and I had a few words to say myself; and, as the whole objection seemed to be against me, I made a statement to the meeting that if by my forbearing to exercise the elective franchise, or hold office in any way, would be the means of reconciling the white and black men, so that we could have a peaceable election, or be at peace afterward, I would forbear to hold office, or forbear to run for office, or even vote as an individual, if by that means I could secure the peace and harmony of the two races in our county.

DEMOCRATIC "CONCESSION"—ONLY WAY TO SECURE PEACE WAS THAT REPUBLICANS MUST NOT VOTE.

He spoke afterward, and said that was the only way. I asked, What could we do? was there any concession that we could make that would secure peace and a quiet election? and he said the way we could have it was by abstaining from voting altogether.

Of course I could not concede that for others than myself, but I was willing to forego any sacrifice as far as I was individually concerned, but I could not do anything for other persons; and I believe I told him in the speech I made that we were now simply asking—we used to ask for life and liberty, but now, if we could just be spared our lives, so as we could go peacefully along, and be permitted to enjoy our lives as men and as human beings, we would be satisfied with that.

Q. You mean the colored people?—A. Yes, sir; I was speaking then from that standpoint; and he said there was no danger to our lives and there was no danger to our liberties; and he criticised me very severely for saying that thing, as reported in the Declaration, that we were entitled to life, liberty, and the pursuit of happiness.

After the election I came home. He was my family physician, and he came in to see me on some business; and I told him that he was certainly mistaken about there being no danger of my life. I said to him, "Why, doctor, they hunted me like they would a rabbit." He said, "Yes;" that he was mistaken in reference to the desire of the democrats to deprive me of my life. He is a very honest, honorable gentleman, and I believe sincere in what he said. He said he was mistaken in reference to the temperament of the people at that time.

A VIOLENT CANVASS—NEGROES WOULD LEAVE THE COUNTY IF THEY COULD.

It was the most violent time that ever we have seen; and there is such widespread dissatisfaction now with the colored people in our county and the adjoining counties, that if there was anywhere to-day where we could feel that we could go, I don't believe that in ten days from this day there would be fifty in Lowndes County out of eighteen or

twenty thousand colored people there. The dissatisfaction is so great, and they feel so generally dissatisfied, and so very apprehensive, that they would be willing to forego any sacrifice apparently where they could feel safe in their lives. That seems to be the general feeling.

Q. What is this apprehension that you speak of, and what produces this dissatisfaction?—A. Well, the last canvass was conducted with such violence; and there was the murder of these men in the streets in Columbus, and unprovoked; as we believe, without any provocation on their part; no threats made from our side that we know of at all; and taking every precaution to avoid that, and then seeing men just ruthlessly murdered, why we just feel that we have no protection for life, and that causes a dissatisfaction.

Q. Does that feeling extend to the masses of your people in your county?—A. Yes, sir; I can assure you it does, and I think I can safely say in the State. I know it does in our county.

Q. And you think it extends throughout the State?—A. Yes, sir; I know it does in our county and in the adjoining county of Oktibbeha, where they have had no real disturbance. They have had a very large meeting there since the election, and voted almost unanimous in favor of emigration, if they could only find anywhere to go where they could feel safe in their persons and property, or even in their persons. That is the general feeling in Lowndes County.

Q. During the canvass, and up to and including the day of the election, was that feeling prevalent among your people?—A. No, sir; we felt apparently safe up to that time.

A WHOLE RACE OF PEOPLE LYING OUT OF DOORS FOR A MONTH EVERY NIGHT.

Q. Did this feeling arise during that canvass from causes that transpired during that canvass?—A. Yes, sir; from the threats and the violence perpetrated prior to the election and at the election and since the election; that has produced it. You can imagine yourself—a whole race of people, twenty or thirty thousand, lying out of doors for a month every night; men, women, and children—you can imagine yourself the state of affairs there.

Q. Lying out away from their homes?—A. Yes, sir; going out of their homes every night; and finally some of the white persons, where they were on their places, would insist on their coming back. Men, women, and children just went right out in the woods, and felt that they were only safe in that way.

COLORED REPUBLICANS COULD NOT VOTE.

Q. Do you say that this feeling of fear and apprehension of injury and loss of life prevented the colored people from voting on the day of the election, or compelled them to change their votes from their natural preference, the republican to the democratic party?—A. Well, yes, sir; it did; it compelled them to vote the democratic ticket, or not vote at all, in many instances. Very few in our city voted at all, but some voted the democratic ticket; but a good many would not vote at all, because they felt that they could not vote according to their own desire, and they told me that they would not vote at all. They came in town with the intention of voting, but finding that they could not vote the way they chose they went back.

RELATIVE RACE POPULATION.

Q. What is the relative population of your county, white and black?—A. About two-thirds.

Q. Two thirds colored and one-third white?—A. Yes, sir.

Q. Are the colored people generally republicans?—A. Yes, sir.

NOT TWENTY COLORED MEN WHO WOULD VOTE THE DEMOCRATIC TICKET IN THE COUNTY.

Q. What proportion of them do you suppose are not?—A. I do not think that it can hardly be apportioned. I do not suppose that voluntarily, without intimidation, there is more than ten or fifteen in the county out of four or five thousand colored voters. Our county has been changed a good deal there, and I suppose the vote is about thirty-five hundred to four thousand votes—a little over that. I don't think that there is more than, at the outside, twenty colored men who would vote voluntarily, in the county and in Columbus, the democratic ticket.

BUSINESS OF THE WITNESS.

Q. What business are you now engaged in, and have been during the last year?—A. For six or seven years I have been selling goods.

Q. In Columbus?—A. Yes, sir.

Q. Have you any property there?—A. Well, yes; sir, I have had some, but I have got very little there now.

Q. What property had you there?—A. I had land, a house—a dwelling-house—and a farm. I owned at one time between eleven and twelve hundred acres of land, and four or five lots in town, a dwelling-house that I suppose was worth $3,000—but property depreciated so—a store and house that was estimated between eight and ten thousand dollars. I suppose I had between eighteeen and twenty thousand worth of property.

Q. What would be about your stock of merchandise annually?—A. For the last year or two I have had a very small stock, but prior to that time it ranged from three to five thousand dollars.

CONDITION OF THE COLORED PEOPLE IN COLUMBUS.

Q. Do you know the condition with respect to the property of the colored people in your town?—A. Yes, sir.

Q. What is that generally, as near as you can state? Give us a general statement in regard to their condition.—A. I suppose that all the old settlers, that is, the people who lived in Columbus prior to emancipation, own their property.

Q. The colored people?—A. Yes, sir; I suppose there is at least one hundred houses or more owned by colored people. I don't know the value of the property, but I suppose that property in the city owned by colored people would not fall under $100,000, at a reasonable valuation.

Q. Is that distributed among a considerable number of them?—A. Yes, sir; I suppose it is distributed among one hundred and fifty persons.

Q. Owners of houses and land?—A. Yes, sir.

CANDIDATES AT THE LAST ELECTION.

Q. What candidates for the legislature were elected in your county?—A. Those that were said to be elected were democratic candidates.

Q. How many of them were they?—A. Three.

Q. Three members of the house of representatives?—A. Yes, sir.

Q. Were they all democratic?—A. Yes, sir.

Q. Had you a senator?—A. Yes, sir.

Q. Does your county have a senator?—A. Yes, sir; our county has a senator. Judge Simms ran from Lowndes County, and a man named Barry from Colfax County.

Q. Were they both elected?—A. They were both said to be elected.

Q. Were they both democrats?—A. Yes, sir.

Q. And the whole democratic legislative ticket was elected there?—A. Yes, sir; that was what was said.

RELATIVE VOTE OF THE PARTIES IN LOWNDES COUNTY.

Q. What was the usual vote of your county as between the two parties prior to that?—A. Our majority was usually between 2,000 and 2,500. I think the white vote was about 1,500. There are 6,000 votes as near as I can remember as to the whole number, and the white vote is 1,500.

Q. Out of the 6,000?—A. Yes, sir; out of the 6,000. The county has been divided, and I could not come at it exactly; but that is very nearly what they say is there.

WITNESS DID NOT DARE TO VOTE.

Q. You left your home and the town on Monday night preceding the election?—A. Yes, sir.

Q. And you did not vote on election-day?—A. No, sir.

Q. And did not return to your home until the following Saturday?—A. No, sir.

Q. And then absented yourself again?—A. Yes, sir.

Q. How long did you remain absent?—A. I went to Jackson and staid until the next Monday.

Q. Were those absences enforced through fear of personal injury or suffering to yourself?—A. Fear of death, and the advice of the mayor to do so on account of——

Q. Did you fear this from white persons?—A. Yes, sir; exclusively.

Q. Of what party?—A. The democratic party.

DR. LIPSCOMB'S SPEECH.

By Mr. BAYARD:

Q. Where was this speech of Dr. Lipsicomb's made?—A. At the court-house.

Q. When?—A. On Wednesday night preceding the election.

Q. Was it a large meeting?—A. Yes, sir.

Q. Did you hear it?—A. Yes, sir; I made a part of the speeches, and he made a part of them.

Q. It was a joint meeting?—A. Yes, sir; you might call it a joint meeting.

OFFICES HELD BY THE WITNESS.

Q. What office had you held in your county before this?—A. I was a member of the mayor and board of aldermen, and a member of the senate for six years.

Q. Had you ever been sheriff?—A. No, sir; the white people almost unanimously asked me to run, or favored my nomination and election for sheriff in 1873; but we had a split in our party, and I was defeated in that year; they favored it in words but they seemed to vote the other way.

Q. You were nominated in '75?—A. Yes, sir; we had a split in the party in '73 and in '75.

FALL OFF IN THE REPUBLICAN VOTE IN 1875.

Q. How much did your vote fall short in 1875 from what you polled in '73?—A. According to the report made to the judges of election, the republican vote must have fallen short about one-half.

Q. Well, what was that?—A. Major Lewis ran for sheriff and myself, and the vote was a little over 2,000 both together, and he beat me about 28 votes, I think it was, or about 20, 30, or 40 votes.

Q. Do you mean to say that your vote was 2,000 less in 1875 than in 1873?—A. Yes, sir; very near it; not quite that much.

Q. Where did you estimate that from?—A. The number of votes in '73 and '75?

Q. Yes, sir?—A. From the registration.

Q. Do you think there were fewer votes registered in 1875 than in 1873?—A. In this State we all have to register before we can vote, and sometimes we have a published list of the registered voters; the votes in 1873 were between 3,500 and 4,000, that is, the whole vote.

Q. Were they polled?—A. Yes, sir; they were polled; that is, I mean the republican vote.

Q. What was it in 1875?—A. Something over 2,000. I cannot remember exactly, but I think it was twenty-two hundred and thirty-eight or forty-eight.

Q. You think it was diminished that much?—A. Yes, sir; I cannot state it correctly, because I do not know exactly the number.

Q. It is not so reported in the tables that we have been looking at; they do not give any such vote. The republican vote for treasurer, in '73, was 2,725, and in '75, 2,021?—A. There was two running for treasurer on the republican side.

Q. Your party did not poll in '73 more than 2,725 votes for the State treasurer; and it polled 700 less than that in '75, according to the table that we have received. The republican candidates were Holland in '73 and Buchanan in '75?—A. Yes, sir; there was no treasurer when Governor Alcorn ran. We voted on both sides that year; there were two treasurers on the republican ticket, and Governor Alcorn headed one ticket and Governor Ames headed another ticket.

Q. That is all the worse for your figures, for the democrats polled only 680 votes at that time, and the democrats and republicans together did not poll so many votes as you state the republicans polled alone.

You say that there were not over fifteen or twenty voluntary negro democratic votes at that time?—A. Yes, sir. I don't think it would exceed that.

THE FOUR MURDERED NEGROES.

Q. You were not present when these four men were killed?—A. No, sir.

Q. You have no knowledge as to who did it, or anything about it except hearsay?—A. No, sir; nothing at all.

REPUBLICAN SPLIT AND ITS EFFECT ON THE VOTE.

Q. Was there any split in your party as to your ticket in '75?—A. Yes, sir.

Q. What was it?—A. We had two sets of officers.

Q. You ran two tickets?—A. Yes, sir.

Q. What did you run two tickets for?—A. For the county.

Q. For county treasurer?—A. Yes, sir.

Q. For county supervisors?—A. Yes, sir.

Q. Any for sheriff?—A. Yes, sir.

Q. Did your party break up so that the republicans had to run two tickets?—A. Yes, sir.

Q. And the democrats ran but one?—A. No, indeed; they sort of had half of the republicans.

Q. They joined with one of your tickets?—A. No, sir; they had a sort of a compromise prior to the night of the difficulty and on the night of the difficulty I believe all the democrats went together. Prior to that time a portion of the white men who called themselves democrats fused with the republicans.

Q. And went and took up one of the republican tickets?—A. Yes, sir. The republicans of the county had two conservatives on their ticket, I believe; one for treasurer and one for the legislature, Mr. Joe Lee.

Q. Now let me ask you, was the ticket that was successful one of the two tickets of your party as first made out?—A. No, sir; both of ours were beaten.

Q. And the third, the democratic ticket, was successful?—A. Yes, sir.

Q. A strict democratic ticket?—A. Yes, sir.

Q. Were any republicans on that?—A. No, sir; no republicans on it.

Q. But there were two republican tickets in the field?—A. Yes, sir.

[Subsequently Mr. Gleed re-appeared and made the following statement:]

ARMED MEN CAME TO WITNESS'S HOME RIGHT BEFORE ELECTION—SHOT ALL THROUGH HIS HOUSE.

The night of the fire, along before day, my wife told me that parties came there—armed parties—in pursuit of me. They shot all through my house in every apartment. We have but five rooms—six rooms in the whole house and five in the main building. They shot all through it—windows, side doors, and side lights. They shot a hole, I reckon as big as my fist, through the chimney in the parlor. The bullet-holes are there now, about in every conceivable way.

By the CHAIRMAN:

Q. How long did you stay when you went down to the fire before you returned to the school-house?—A. I think I staid there about five minutes.

Q. Anything said to you when you were at the fire?—A. No, sir.

Q. Why did you go back so soon, then?—A. A young man told me that some parties said they would kill me, and I thought that I would run to save my life.

W. F. CONNELL—LOWNDES COUNTY.

SHOOTING AT COLUMBUS.

ABERDEEN, MISS., *June* 27, 1876.

W. F. CONNELL sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I reside at Mayhew Station, Lowndes County.

Q. Is that near Columbus?—A. Thirteen miles west.

Q. How long have you resided there?—A. Well, sir, from first to last, 44 years.

Q. Are you a native of this State?—A. No, sir; of Tennessee.

Q. How old are you?—A. I will be fifty years old my next birthday.

Q. Have you held any office in the State?—A. I have been assessor two years previous to this.

Q. County assessor?—A. Yes, sir; county assessor of Lowndes County. I never held any other office but a county office.

Q. Were you a candidate at the last election for any office?—A. I

was a candidate for the legislature on one of the republican tickets, known as the Gleed ticket.

Q. You were not elected, were you?—A. No, sir.

"MEN FROM ALABAMA"—"HELL TO PAY."

Q. Will you give to the committee such an account as your observation warrants of what took place in the canvass at the election in your county?—A. I was not around in the canvass of the county but very little; my health would not permit it. I am subject to asthma, and I had a good deal of it last fall; and these asthma attacks kept me at home confined a good deal of the time during the canvass. I did not hear but one speech, and that was made by Judge Simms at our place; but I was in Columbus on Monday, the night previous to the election, and there was considerable fuss, row, and shooting, and so on there. I was informed by Mr. Ross Tabb, on Monday night, that there would be some gentlemen from Alabama—"men from Alabama," was his expression—and there would be "hell to pay" in town, he thought. That was about supper-time.

"GO TO KILLING NIGGERS."

I went on up to Mr. Worrell's corner, and while sitting there I saw a fire. I was sitting there with Mr. Dowsing and Mr. McDonald. In a few moments I turned and looked in another portion of the town to see whether I could see if there was fire there, and I then turned to go back to Mrs. Tabbs's, my boarding-house; and when I got down to Nevin's livery stable I met an engine company and a hook and ladder company; and some fellow spoke up and told them to put up their engine and go to killing niggers. He was a stranger to me, but I afterward learned his name was Galvin; he was a brother to Mr. Pat Galvin, there in Columbus.

NEGRO MURDERED.

I walked up to Worrell's corner and I found Mr. David Blair there and Mr. McDonald; and we three were standing talking, and there was a man ordered to halt right behind us, right across the street, and he did not halt. Some little conversation and pretty quick words passed between them, and one was shot. There were two guards, and one ran down east about thirty or forty yards, and the other one told me to halt, and I said "Why?" and asked him what his name was; he told me that his name was Winfield.

Q. Were those men black or white?—A. I suppose they were white men.

Q. The man that was shot?—A. He was a black man; his name was John Gordon.

Q. Was he killed?—A. Yes, sir; I examined him about half an hour after he was shot. He was shot just under the nipple on the left side. That occurred on Monday night. I went over to Mr. Worrell's corner on the cross street to Mr. Nevins's livery stable, and assisted him in taking care of his horses, as he is an old friend of mine, and we were often together.

FIRING ALL OVER TOWN.

About one o'clock I went to bed. I heard considerable firing all over the town during the night, but I was not anywhere else.

On the next day, which was Tuesday, the election-day, it looked like Sunday more than it did an election-day in the town of Columbus. There were no colored men about the town at all; very few to what ought to have been there, or usually are at such places on days of the election.

Q. Do you know how many colored people had a right to vote at Columbus?—A. I think, sir, that beat No. 2 registered about 1,400.

ONE THOUSAND COLORED VOTERS IN COLUMBUS BEAT.

Q. Is that the Columbus beat?—A. Yes, sir; that is the Columbus beat. I would say, from my own knowledge, there would be about 1,000—between 900 and 1,000 of these colored votes at beat No. 2; and there is no other precinct in beat No. 2 except the three boxes in Columbus. It is a small beat, but there is no other precinct, only the three that are appointed in Columbus.

Q. Do you know how many votes were cast in that beat that day?—A. My recollection is, about 700.

FORTY REPUBLICAN VOTES CAST.

Q. Do you know what proportion were republicans and what democrats?—A. I don't think the republicans got to exceed 40. I have got a list of the votes at home, and a statement of the election. I don't think, though, that we got over 40 at that beat.

BUT FEW REPUBLICANS PRESENT.

Q. Were there many republicans present in the village?—A. No, sir; very few.

Q. How many colored men would you say?—A. Very few, sir; I saw a squad of colored men, and Capt. W. W. Humphrey and myself went to them and tried to get them to come and vote, and told them that they should not be intimidated or interfered with in any manner, shape, or form; that they should vote just for whom they pleased; but they came to the court-yard gate and turned away and went back, and never came back to vote.

Q. Was Mr. Humphrey, who was with you, a democrat or republican?—A. A democrat.

Q. Did you see any other colored men that day?—A. Yes, sir, I did; two or three came to me and asked me to fix their tickets for them, and I did so; and they voted without any trouble or molestation whatever.

SIX NEGROES MURDERED—THE REST RAN OUT OF TOWN.

Q. How do you explain the absence of the colored men from the polls at that time?—A. I imagine it was done from the scare that they had got the night before. There were some six killed, I think, all told, that night, and the negroes all ran out of town, and went to the swamp, as I understand, and none of them made their appearance, but very few, except those who voted the democratic ticket.

THEY WERE JUST LED UP TO THE BALLOT-BOXES BY DEMOCRATS.

There was a good many of them—nine-tenths of them—that voted there that day, voted the democratic ticket. They were just led up to the ballot-boxes by democrats and deposited their tickets. I stood by and saw them go and get them to go up and vote.

Q. Did you see any person shot, except the one whose death you have mentioned?—A. I did not, sir.

HOW ONE MAN WAS MURDERED.

Q. Did you observe any conduct on his part, or hear any remarks made by him, which might have led to his killing?—A. No, sir; none in the world. As he came out of a brick house the guards came up. As they came north he came out of the house, near the corner, and met a white man named Winfield, a Dutchman, who had a lamp in one hand and a pistol in the other. They ordered the negro to halt, and the negro halted and turned around, as I suppose, toward them, from the

position he was lying in when I met him. He was shot in the breast He was ordered to halt and give up his pistol, and he said, "I have not got a pistol." He asked him where he was going, and the negro remarked something about Judge Orr—he called Orr's name—and the man fired. That was our circuit judge, and I suppose that he intended to say something about going to see Judge Orr, or something of that sort.

SOME GENTLEMEN FROM ALABAMA ARE GOING TO REGULATE AFFAIRS.

They then halted Winfield and asked him where he was going, and he said he was going home; and Winfield went on about his business, and they turned around and went to where the station was that they were to guard that night.

On Tuesday I ate dinner with some gentlemen that said they were from Alabama, and they said they were going to Butler's brick church to regulate affairs there. That was at a precinct six miles south of Columbus. I understood afterward that there were one or two men shot down there. Colonel Meek was at dinner at the same time, and the Alabamian spoke to Meek as though he recognized him, and Meek did not seem to take much notice of him, and the Alabamian remarked, "God damn you, colonel, you don't know me to-day; you knew me very well last night." Meek said, "O, yes; I know you very well," and kept on eating his oysters. I did not let on who I was, but I saw the fellow was half drunk, and I thought I would draw him out.

THEY ARE ALSO GOING TO CLEAN OUT WHITE RADICALS.

He said he was going down there to kill the God-damned niggers, and when he had done that he was coming back up here in town to clean out these God-damned white radicals here in town.

I said, "These white radicals are a pretty nice set of fellows, and if you do not believe it ask Captain Meek; he can vouch for them."

I hunted up Judge Simms, the candidate for State senator, and told him that these men were going down to this brick church, and said to him, "You and Meek can stop it if you are a mind to. Meek is down at the restaurant now, eating his dinner, and you can go down there, and you and him can keep them from going there." I said, "Those are country negroes that vote down there, and they ought not to be disturbed, as they have had nothing to do with the trouble here in town."

"THE ANGLO-SAXON RACE WOULD RISE."

Simms replied to me that when such things as firing and burning had taken place, and it had been set by niggers, the Anglo-Saxon race would rise; there was no controlling of them.

I said to him that didn't make any difference; that I did not think that innocent parties should suffer for what guilty ones had done.

Whether Simms went to stop them or not I don't know; I did not follow him up to see.

FIRING ALL OVER TOWN.

Q. Did you hear any other firing than what you have mentioned that night in town?—A. There was a promiscuous firing all over the town.

SAW ONE FIRE—HEARD REPORTS OF OTHERS.

Q. Did you see the fires that night?—A. I saw one.

Q. How many did you understand were set that night?—A. I understood that Mr. Curtis's shed was burned and a stable belonging to Mr. Hale, both of them out-sheds, not of any considerable value. Then I heard reports that there were ten or a dozen more attempts to set fire,

but I did not put any confidence in those reports. It is easy enough to get up such a thing as that, and it never loses anything by telling.

Q. Did the fires appear about the same time?—A. I think they did, on or about the same time; about fifteen minutes apart.

Q. Do you know whether the persons who owned the property have been compensated for the loss?—A. I don't know whether they have or not.

Q. Have you heard anything said about their being compensated?—A. I heard that such was the understanding, but I never heard Mr. Curtis say so and I never heard Mr. Hale say so.

Q. From what source was compensation to come?—A. It was to come, I suppose, from the citizens of Columbus, if it was to come at all; but I could not say as to that positively. I don't know anything about that that would be reliable.

Q. Do you know any fact which tends, in your opinion, to show by whom the fires were set?—A. I do not. I know nothing of the origin of them in any manner, shape, or form.

THINKS THERE WAS SOME FRAUD ON THE PART OF THE REGISTRARS.

Q. Is there anything else that occurs to you that you think the committee ought to know?—A. Nothing more than the way that our registration-books were kept. I think there was some fraud on the part of the board of registrars. For instance, from Artesia, where you breakfasted, out north to the county-line, they were all solid for Gleed for sheriff when those parties went to the election; but half their names did not appear upon the books of registration at all. With that exception, I don't know of anything else. Their names were omitted to be put down upon the books; and, agreeably to the laws of the State, unless your name is there or you have your certificate you cannot vote. In either event, if your name was on the books and you had lost your certificate, by making an affidavit that this is your name you could vote; but if you had a certificate in your pocket and your name was not on the registration-books, you could vote and the clerks of election could register you.

OBSTRUCTION PUT IN THE WAY OF MEN VOTING FOR GLEED.

One-half of the Gleed men were omitted to be put down on the books of registration. They had their registration-papers, but when they went to vote they would look for the name of the negro, John Banks, for instance; I recollect he went to the brick church to vote, and they told him he could not vote there for the simple fact that his name was not on the registration-books. He had his certificate, and he came on up to Columbus, and he remarked to me, "Mr. Connell, can I vote here?" I said, "If you have got your registration-papers you can vote here." It was within his beat, beat No. 5.

I took him to one of the board of registrars, who were inspectors at the time in Columbus, and said, "Here is a man that wants to vote; his name is not on the registration-book; his name is John Banks." He looked on the precinct-book and his name was not there, and then he looked on the general book, and his name was not even there. He said, "Have you got your registration certificate?" He said, "Yes;" and he handed it to him, and he said, "That is all right, I know, for I issued it myself;" and he allowed him to vote.

My brother, who was at Artesia as one of the registrars, said every one of the Gleed voters had to be voted by affidavit.

WITNESS THINKS MAJOR LEWIS MANIPULATED VOTERS.

Q. How do you account for that?—A. By the manipulation of Major Lewis, candidate for treasurer on the republican ticket against Gleed;

and he did it to carry the election by throwing as many of Gleed's votes out as possible.

Q. Could he do that without the co-operation of the other members of the board of registrars?—A. He was not a member of the board of registrars at all, but I suppose he had two friends on there, and with them he could manipulate it so as to control the whole thing. I don't believe that Lewis would hesitate at all to do anything in his power to carry his point.

Q. What were the registrars in politics?—A. Two republicans and one democrat.

Q. Have you in your mind an opinion as to which two of the three were co-operating with Lewis?—A. Well, sir, I could not say certainly, but I think it was Eggleston and Sergeant James. Sergeant James was the deputy sheriff and Eggleston was one of the board of registrars, and his father was candidate for the chancery clerkship on the same ticket with Lewis; and I have no doubt, if anybody was up to any such thing, it was them. Of course it would be more to their interest to do it than anybody else on the board. That is merely my own opinion, however.

THREE TICKETS IN THE FIELD.

By Mr. BAYARD:

Q. How many tickets were running in the county?—A. Three.

Q. Just describe them.—A. Well, sir, there was what was termed the democratic conservative ticket.

Q. That was a straight democratic ticket?—A. That was a straight democratic ticket. There was the Lewis ticket, a republican ticket; and the Gleed ticket, a republican ticket.

Q. There were two republican tickets and one democratic ticket?—A. There were two republican tickets and one democratic ticket.

Q. And between the two the democratic ticket was successful?—A. Yes, sir; was elected.

Q. Major Lewis was running on one of the republican tickets?—A. He was running on one of the republican tickets in opposition to Mr. Gleed.

NAMES OF GLEED'S LEFT OFF OF THE REGISTRARS' BOOKS.

Q. If there was fraud at the registration you seem to suspect that he was the person who did it?—A. I think he was the person who was at the bottom of it. It seems very strange to me that none of the Lewis mens' names were off of the registration-books, when at least one-half of Gleed's men's names were off of it.

Q. Would not that have required the concurrence of the entire board?—A. I don't know whether it would or not.

ABOUT THE MURDERS.

Q. Excepting the killing that you witnessed on the street of this colored man that you have described on the night of Monday, do you know of other cases of homicide that night?—A. Nothing, only from report.

Q. Do you know the names of the parties killed?—A. One was named Alick Latham, another one was named Essex Brown—I believe that was his name—and a negro by the name of Meek; I have forgotten his given name. These are the four that I heard of being killed. The others I did not learn their names.

Q. Have you any knowledge of the persons, who they were at all, or how they met their death?—A. No, sir; I have no knowledge in the world, except in reference to John Gordon.

Q. What do you know of the killing of those four?—A. I only know that the report was that they were killed.

Q. And Gordon you knew something about?—A. There were three of us that went to him and turned him over, and laid him out beside the brick house. Young James T. Harrison was one of the boys; Mr. Tom Stinson was the other. I called their attention to it, and said, "Boys, there is a dead man there on the other side of the street," and we went over there.

Q. What do you understand to be the true republican vote in the county?—A. We generally considered it to be about 3,500.

PROPORTION OF VOTERS.

Q. How was it then that in 1873 you polled so many votes less than that?—A. I don't recollect now. In 1873 the whites did not turn out. We polled about 3,800 in 1873; that is my recollection. Very few white men turned out in that election, from the simple fact that they did not have a democratic ticket out at that time. That was the time I was elected county assessor; my recollection is that I received 2,800 votes.

Mr. BAYARD. There were about 2,700 on your side and 638 on the other side.

JOSEPH P. BILLUPS—LOWNDES COUNTY.

GENERAL CHARACTER OF THE DEMOCRATIC CANVASS.

ABERDEEN MISS., *June* 27, 1876.

JOSEPH P. BILLUPS sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. Columbus, Miss.; Lowndes County.

Q. What is you occupation?—A. Well, I am a planter, and I am the mayor of the city. That is my office.

Q. Did you hold the office last fall?—A. Yes, sir.

Q. And during the year 1875?—A. Yes, sir.

AN EXACTING CANVASS—DIVISION AMONG THE REPUBLICANS.

Q. We desire to know something of the history of the political canvass in the year 1875, and of the election. Will you state what you know of the character of the canvass?—A. Well, the canvass was rather an exciting one. There was a great deal of activity and interest displayed on both sides, and a great deal of effort brought to bear. There was a division in the republican party. The republican party in the county had a large majority, but there was a schism and division, which induced the democratic party to think that, by active effort, and with this division, they could probably succeed in running in their candidates. If it had not been for this division, I do not know that any particular effort would have been made. There would not have been any incentive. It was a triangular fight. It was a three-sided fight in which there was a great deal of energy and activity displayed on both sides; and you could not say upon which side was the preponderance of interest and activity, or bitterness. It was a triangular fight.

Q. The split was in the republican party?—A. Yes, sir; and it induced hopes on the part of the other side.

Q. The democratic party had a single ticket, and was successful?—A. Yes, sir.

DEMOCRATIC NEGROES INTIMIDATED.

Q. Do you know, during the canvass prior to the election, of any acts of intimidation or violence against the free exercise of the right of voting?—A. I do not know, but if I should answer that question candidly, I would say there has been intimidation, and I could have produced two or three freedmen who live on my place who desired to vote last fall, but they were intimidated from voting, and did not vote because they were intimidated from voting.

DEMOCRATS THREATENED BY REPUBLICAN NEGROES.

Q. By what?—A. By their own race, and they would not vote. They were told if they voted the democratic ticket they would be killed, and they did not vote, and were prevented from voting. So they told me. They apprehended that their lives would be in danger if they did vote.

Q. Do you know of any intimidation of the negro population by the white democrats to keep them from voting?—A. I saw nothing of that at all. It is true I am mayor of the city and *ex-officio* justice of the peace, and was confined pretty closely to the duties of my office, but I saw nothing of the kind at all.

QUIET AS A FUNERAL ON ELECTION DAY.

Q. On the day of election what was the character of the proceedings there?—A. Well, sir, it was as quiet as a funeral.

Q. Had there been any excitement preceding that day?—A. Yes, sir; there had been the night before.

WITNESS TELLS OF THE MURDER OF NEGROES THE NIGHT BEFORE ELECTION.

Q. Just describe what occurred on the night before. You are mayor of the town, and were there?—A. Yes, sir.

Q. Describe what occurred there the night before?—A. I don't know that I could better describe it than by reading a little communication that I have, to which is attached the seal of the town. It was just about, I suppose, three-quarters of an hour after dark, and up to that time there had been no excitement at all. And that, I think, would give a better history of the circumstances, so far as the town was concerned, than anything I could state; and I will read it:

THE MAYOR'S ORDER.

MAYOR'S OFFICE, COLUMBUS, MISS.,
November 1, 1875, 8 *o'clock p. m.*

General J. H. SHARP:

In view of the fact that fires are raging in opposite extremities of our town—evidently the work of incendiaries—and the unusual excitement which prevails as a consequence, I feel that the ordinary police force at my command is inadequate to the preservation of order and the protection of property. Under these circumstances I feel that prompt and organized action is demanded, and I therefore request that you should take command of the military companies, which report at this office, and such organizations of citizens as may be found, that the city may be thoroughly policed, and law and order enforced.

To accomplish the objects above stated, I hereby appoint you chief of police.

JOS. P. BILLUPS, *Mayor.*

GEN. SHARP'S REPORT.

COLUMBUS, MISS., *November* 3, 1875.

SIR: I have the honor to submit the following as a report of my action in obedience to instructions from your honor to assume command of the military companies of the city and such organizations of citizens as might be made, to the end that the city might be thoroughly policed and law and order enforced. I assumed command of the Columbus Riflemen, under Captain Johnston; the University Cadets, under Captain Belcher, and the city fire-organizations, under Colonel Leigh. Such citizens, outside of these organizations, as offered their services were placed under Captains Field and Winston, and one company was mounted and placed under command of Capt. R. F.

Hudson. Mounted scouts were sent out upon the various roads leading into town; sentinels were placed at various points commanding approaches to the business portion of the city, at depot, arsenal, railroad-bridge, and various other points particularly inviting to the incendiary. The fire-organizations were kept in readiness in the center of the city, and a heavy reserve held in hand in the event any organized body of men should be reported to be moving upon the town. Attempts had then been made to fire the town at fourteen different places. Armed negroes were hurrying along the streets, and one squad of twenty, when halted, brought their guns to "ready" and shouted "Shoot." With a knowledge of these facts, instructions were given—

1. That no armed person, except such as were friendly to peace and order, should be permitted to appear at large.

2. All persons with guns in their hands, not laboring to protect the town, should be arrested and brought to the mayor's office.

3. No one should be permitted to come into town unless their character was favorably known.

4. All parties suspected of having in their possession arms, and known to be unfriendly to peace and quiet, were ordered to be searched, dispossessed of their arms, and arrested.

Under these instructions a number of negroes were arrested and turned over to the proper police officers. I regret to state that the following negroes were shot and killed:

Essex Brown, who was armed, and refused to surrender his arms or be arrested.

George Evans, who attempted to fire, and declared before he died that he was killed because the guard was too quick and fired first.

Alexander Latham, who snapped his gun at the police and was afterward shot.

John Gordon, shot in the midst of a mob of negroes, before any organization.

The following negroes were wounded:

Frank Meek, found with gun in hand and attempting to escape.

Wife of Essex Brown, wounded accidentally.

Dennis Thatcher, a convict, whose sentence demanded that he should be in jail, was found at large and refused to be arrested.

Too much commendation cannot be given to the cool judgment and forbearance of our citizens, who, although they saw their city on fire at two points, and knew the incendiaries were negroes, yet committed no act of violence upon those of the race who were in their midst. On the following day, the news of the burning of our town having gone abroad, a number of men from Alabama came to our assistance. Deeming it best that affairs should be quieted, if possible, by our own people, these friends were assigned comfortable quarters and remained quiet during the day. The following night, all being quiet, and arrangements for safely guarding the town having been perfected, I asked that you would relieve me from further duty.

I am, sir, respectfully,

J. H. SHARP.

To his honor the MAYOR OF COLUMBUS.

THE CONFLAGRATION APPALLING.

Q. Will you state the character of these incendiarisms?—A. Well, at one time it was absolutely terrific, appalling. The fire broke out in an immense structure which was set on fire.

Q. State the character of the buildings burned.—A. One was a warehouse. I do not know so well about the building myself, but the building was a warehouse, in which was stored a good deal of corn, and sometimes was used as a store-house for cotton. I do not know whether there was any cotton in it, but it was a cotton warehouse and corn-house. I think that was the first building set on fire. It made an immense blaze.

Q. What part of town was that?—A. That was in the southern portion of the town; just about the time the fire companies turned out in force. No one suspected what was the trouble at first; at least until the fire was discovered in the northern portion of the town.

FIRE SET IN ANOTHER PART OF THE TOWN.

Q. What did that turn out to be?—A. That turned out to be a stable; a stable or barn of some kind.

Q. How far apart were those two buildings?—A. More than half a mile—say half a mile, or a little more than half a mile, apart. When

the second fire was discovered, and runners came in and reported that they had put out fires in different portions of the town, there was great excitement.

Q. What portions of the town were on fire?—A. None on fire, but parties had come in and reported that they had put out fires.

REPORTED ATTEMPTS TO FIRE OTHER PARTS OF THE TOWN.

Q. Had an attempt been made to set fire to other portions at that time?—A. That is what I was told. I did not see it.

Q. I suppose they came and reported to you?—A. Yes, sir; parties came to me and reported that efforts had been made to fire the town in several other portions; I think four or five; that they had put them out, and sent the servants to put them out.

Q. About what time did the fire occur?—A. Saturday, early in the night; say three-quarters of an hour in the night.

Q. After dark?—A. I think so.

ONE FIRE LATER THAN THE OTHER.

Q. Did these fires break out about the same time?—A. Well, I believe that between the first fire, the fire companies had all organized and were equipped in full force and came down to the first fire, and then the second fire was discovered.

Q. About half a mile apart?—A. Fully half a mile apart; rather more than that.

Q. So that about those times that the fires took place these attempts to fire other parts of the town were discovered?—A. Yes, sir; at the same time.

FIRES CREATED A PEREECT STATE OF CONSTERNATION.

Q. What was the effect of this upon the town?—A. It created a perfect panic; a perfect state of consternation.

WHAT AN OLD AFRICAN SAID.

Q. Who did they discover had committed these acts of incendiarism?—A. I do not know of any discovery made as to the parties who did it. I cannot state; but the next day it was stated to me that there was a party passing, an old African, who can tell you all about it. I spoke to him and asked, "Did you know anything about these fires?" He says, "No, I did not." I said, "Didn't you state to your wife that you were going home to stay there; that the town was to be fired that night?" He said, "I did." I said, "Did you state that you would not be out on the streets on account of that, that the town would be fired?" He said, "I did." I says, "Why did you think that?" He said he did not know. I could only get an evasive answer out of him. He stated that he had told his wife that he intended to remain at home and would not go out that evening; that the town would be fired and he did not want to be in the neighborhood. He intended to stay at home. I asked him if he would not tell me why he thought the town would be fired, and he says, "I heard enough to make me know that they were going to set it on fire;" but he would not tell me who.

BODIES OF MEN REPORTED MOVING ON THE TOWN.

Q. I observe that you have stated in your order that this excitement was prevailing. What did he refer to when he spoke of bodies moving on the town?—A. That was the report afterward, during the night after I had appointed that police; that there were sundry and divers men; there were in the evening organized bodies of men reported as moving on the town. That was reported to me.

HAD NO KNOWLEDGE BUT THIS REPORT.

Q. Have you any knowledge of this, other than the report?—A. No, sir; I do not know. There were at several times reports of parties moving upon the town, but I did not think it ever amounted to anything.

Q. Had you heard threats, or had threats come to your knowledge, of incendiarism in that town prior to this occasion?—A. I had.

WITNESS'S RECORD OF THE THREATS OF A NEGRO SIX MILES OUT.

Q. To whom had they been traced?—A. I wrote out a few facts. I have not got it, and could not reproduce it again. There was a colored man living there some five or six miles from the town, remarked that it might be that the white people had the arms and the means to carry the election, and they supposed themselves masters of the situation, but it was a great mistake. "I can take an ax upon my shoulder, a torch and dog, and go out 'coon-hunting, and I will leave my trail behind me, and make the white people very sick of this business."

Q. Who said that?—A. A colored man, but not to me.

Q. This fact was brought to the mayor of the town?—A. Yes, sir.

WITNESS TELLS ALL OF HIS INFORMATION ABOUT BURNING THE TOWN.

Q. Did you receive further information tending to show there had been schemes to destroy that place?—A. Yes, sir; that, and the statement voluntarily made by this old negro, a very unsophisticated nature and without any kind of instigation, remarked that he had told his wife that he intended to stay at home that night. This I remember, and there were others that I cannot recollect of now. Didn't expect any questions of that kind.

Q. Were you there on the day of election?—A. Yes, sir.

Q. Were you at the polls more than once?—A. Yes, sir; more than once.

ELECTION-DAY WAS DISTRESSINGLY QUIET.

Q. Did you see, when there, any intimidation of colored men, or anything like forcing them to vote the democratic ticket?—A. O, no, sir; there was none. It was after the excitement of the night before that I have mentioned had quieted down to a condition painfully quiet. I did hear some young men, in a jocular way, say, "You must come and vote with us." It was all done laughingly, with nothing like violence or intimidation. It was distressingly quiet, so far as that was concerned. It was a most painfully quiet election there. I got in a buggy and rode down the next morning to find a particular body of a man who had been shot on the night previous. I suppose I must have passed 300 men and women. Some were sulky and grum and some were sad; and I addressed all pleasantly, and went to look for the body; but there was not the first evidence of excitement that day, or disturbance.

Q. Were you at the court-house the night before, when Dr. Lipscomb spoke?—A. No, not the night before. It could not have been the night before.

Q. There was a meeting before, and I thought the night before?

Mr. CAMERON. The Thursday before, I think.

Q. Did you hear him make a speech just before the election?—A. I think he did.

Q. Dr. Lipscomb is here?—A. Yes, sir.

Q. Do you know Robert Gleed?—A. I have known him a long time.

GLEED'S CHARACTER.

Q. What is Gleed's character and reputation?—A. Well, I could not

say anything prejudicial to him from my personal knowledge. I know that there are three indictments against him for perjury, and I know of an indictment found against him for an attempt to kill, and he was pardoned out before trial.

Q. When was that?—A. While A. K. Davis was lieutenant-governor. He was pardoned during Ames's absence.

Q. Before he had been tried?—A. Yes, sir.

Q. For what?—A. For assault and battery with intent to kill and murder.

GLEED'S QUARREL WITH DR. SMITH.

Q. Upon whom?—A. Dr. Smith, a colored man, a black man, quite black. A good many parties saw it.

Q. What was the cause of the trouble between Gleed and Smith?—A. Something personal, I think, about their wives, so far as I could gather.

INDICTMENTS AGAINST GLEED.

Q. Was he indicted for that?—A. Yes, sir; a true bill was found for an attempt to kill and murder. And I think three different bills for perjury, and that of murder.

Q. When were those bills for perjury found?—A. They have all been found within the last three years.

Q. Were they found prior to 1876?—A. O, yes, sir.

Q. What became of them?—A. I declare I do not believe I could answer the question.

Q. Had he ever been tried?—A. I could not answer. I do not know. I know he told me himself, and of course I know it from the sheriff's office and grand jury office, but Gleed told me himself about it, and wanted to advise with me about it.

Q. These indictments were found against him under republican rule?—A. Yes; never less than half and half, as the grand jury is generally composed of 18. I do not think I ever saw less than half and half.

Q. Of colored people?—A. Yes, sir.

Q. But the county prior to 1876 was under control of that party which had the appointment of the board of supervisors?—A. Yes, sir; that is so.

Q. So that he was indicted by the people of his own political party?—A. Yes, I think three indictments. I think so, for perjury.

Q. You say that in this instance he was pardoned by Davis in advance of trial?—A. Yes, sir; that was one of the grounds of complaint against Davis, that he was pardoning parties previous to trial.

Q. Any charge against Davis for receiving money in this case for this pardon?—A. I do not think there was. Gleed came to me and asked me the value of a certain piece of land. I told him it would be a difficult thing to give an estimate of it, but finally I did. I said I would give it to him the best I knew; and I asked him what object did he have in putting a price on his property, and he then said one of these grand jury cases was up. That was in the trial term, about the 1st of May.

Q. Did he state to you what he was worth?—A. No, sir.

Q. Do you know what he is worth? Is he a man in good circumstances?—A. I do not suppose he is worth a dollar in the world. I do not suppose you could make a pocket-knife out of him.

Q. Have you any idea that he holds a tract of eleven or twelve hundred acres?

Mr. CAMERON. He said that he had that, but that he was worth very little now.

Mr. BAYARD. I understood he had something now.

A. It is under mortgage now, if he has.

Q. Mr. Gleed stated in his testimony, and it was a matter of impression with him in regard to the mass of the people of his race, that they felt perfectly insecure in person, and would like to go away from the State. You are mayor of the city, and come a good deal in contact with these people, do you not?—A. Very little.

Q. You have lived here how long?—A. Forty-one years.

GLEED'S LATE MOVEMENTS AMONG NEGROES.

Q. In this case, what do you wish us to believe in regard to this feeling as to insecurity, as to person and property, in the county of Lowndes and in the town of Columbus?—A. I do not think it is a matter which gave them any concern. I think it is a matter that never occurs to them. I do not think that it is a matter that disturbs them at all as to their security. There were charges, or suspicions, I do not know how well or badly grounded. I do know that Gleed had been here over the country since the 1st of January, going out among the different plantations, and the negroes have said that he had been trying to create the impression that the Mississippi bottom was not good for them. I have been told that. I do not know it.

Q. You are committing magistrate as well as mayor of the city?—A. Yes, sir.

Q. And *ex-officio* justice of the peace?—A. Yes, sir.

Q. In this office have you a good many persons brought before you on charges for minor offenses?—A. Yes, sir; all minor offenses.

NEGROES HAVE JUSTICE IN THE COURTS.

Q. I would ask is there not prompt remedy and full remedy to persons or property of the colored people, by the law, in the law?—A. Well, sir, I would say with the greatest degree of conscientiousness, that I have never seen anything to indicate, nothing to justify me in saying that there was any unwillingness on the part of any citizen to extend to them full protection in all their rights. If there was a difference between the white men and the negro or the colored men—any way you may call it—I have never seen it, and being the weaker side, the fact is that, as to matters of civil suit, the inclination of the magistrate is always rather on their side. As to matters of theft and stealing, and there is a great deal of that in that country—indeed, it is fearful—you then have to look at it a great deal more closely. But there is no magistrate of any enlarged and liberal order, but in civil suits, matters involving dollars and cents, would not inadvertently rather lean to the side of the weak. I give this as a conscientious statement. In the case of stealing, I would not say so much about that.

GLEED'S HOUSE FIRED INTO, AND GLEED HIMSELF COMPELLED TO LEAVE TOWN.

Q. Gleed has stated that on the night of this fire that his house, in that neighborhood, I think, was perforated by bullets and shot through and through, and also that he was compelled to leave town.—A. I expect that was true. I do not know, at all, as to the house being shot through. Gleed had been the moving spirit; and there was an idea just as soon as this fire was discovered, just as soon as the suspicion got out, that it was the result of an organized plan; of course, he being the high-priest of his tribe, suspicion rather centered upon him. I did not go near his house, for my duties were not there. I do not think that he left town; but I think he stated to me that he was absent certainly four, five, or six days.

GLEED'S WIFE ASKS PROTECTION OF WITNESS.

During his absence his wife came to me—a most excellent woman—and reported that she was afraid to stay at home. I expect his house had been damaged somewhat; I do not know about it. She came to me and appealed to me for protection. She said her own race were afraid to give her a room in their houses. They were afraid to do it. Well, she was a very well-behaved, amiable, inoffensive woman, and I told her she was not in any danger. Nobody would have hurt her; and we sent her down to Dr. Lipscomb's house, and she moved down there. I told her that she would be as safe as my wife.

GLEED RETURNS AND ASKS PROTECTION.

A few days afterward Gleed came in himself, and he asked me if I would extend to him all the protection that my position as an officer and mayor of the town enabled me to extend. I told him most undoubtedly; I could not do otherwise. He asked me if I thought it would be safe for him to be there, and I says, "You are as safe right here in the office as I am, and in the day-time you are as safe as I am; but the prejudice has not been gotten over yet, and I would advise you to stay away. The feeling is dying away rapidly. Mind you, I do not give you that advice officially, for I tell you right now that I will extend to you all the protection in my power. You are safe, and nobody will touch you in the day-time nor in sight of an officer of the law. You shall be protected; but if you want to know my advice as a citizen, I would say to you to go away for a day or so. Your wife is comfortably housed and fully protected."

We had quite a long conversation. I told him, "You are not aware of it, but your danger lies from your own race." That startled him. "How can that be?" he said. I replied, "You are just like everybody; you have got enemies. I can mention to you half a dozen, and so can you, that will swear that they heard you say that you were going to have revenge; that you intended to get even. You know these rowdy young men—these negroes about town—they will go to these hot-blooded young men, and they will swear away your life. They will inflame these young men against you."

WHAT ROWDY COLORED BOYS WILL DO TO CURRY FAVOR WITH YOUNG BLOODS.

Q. Come from people of his own color?—A. Of course it will come, and he said so too. "For you know that you can get some of these rowdy colored boys about the streets who think that they can make fair weather with these fiery young bloods, and they will swear you said you intended to get even and intended to sweep this town to ashes."

GLEED NOT CHARGED WITH INCENDIARISM.

Q. As a matter of fact, justly or unjustly, he was suspected of having been concerned at this attempt at incendiarism?—A. It has never been saddled upon him.

Q. I did not ask if it had been saddled upon him, but if he was justly or unjustly suspected of having been concerned in this thing.—A. It has been proved upon him that he is about as incendiary in his teachings and speeches as any man in the county—in his doctrines. That much can be said. I do not know whether that answers the question or not.

CROSS-EXAMINATION.

By Mr. McMILLAN:

Q. You were mayor on the 1st of November last?—A. Yes, sir.

Q. Did you attempt in any way that night to enforce the law yourself, as mayor?—A. O, yes, sir; I did.

Q. What did you do?—A. Well, I appointed extra police. Of course I did not leave the mayor's office. I did not go out and arrest parties; nor did I leave the office at all and go out and execute any writ or do any police duty. I did not attempt to do that.

Q. Whom did you appoint on the police—this force you have referred to, under General Sharp?—A. I appointed about eighteen men extra policemen. I appointed them instantly.

Q. At what time?—A. Well, sir, as soon afterward as it could have been done.

GENERAL SHARP HAD COMMAND AS CHIEF OF POLICE.

Q. Then did you authorize General Sharp to take charge of the forces by this order?—A. Yes, sir; as chief of police. I appointed a chief of police.

Q. Was General Sharp a democrat?—A. Yes, sir.

Q. Was he chairman of the democratic committee?—A. I do not know whether he was then—yes, sir; I think he was.

GENERAL SHARP WAS CHAIRMAN OF THE DEMOCRATIC COMMITTEE.

Q. Don't you know he was?—A. Yes, sir; he was, to the best of my knowledge, at that particular time. I will say this, however—that General Sharp is not regarded as a democrat of the strictest sect. He is regarded as a very conservative democrat; so much so that the radicals in the party made some war upon him.

NUMBER OF ARMED MEN UNDER COMMAND OF GENERAL SHARP.

Q. How many men were under his authority that night? How many armed men?—A. Well, I could not tell. I will presume—yes, I suppose that there were two hundred men, in the neighborhood of two hundred men—I do not know—I may be exaggerating it at that time. I do not think probably over one hundred and fifty.

Q. Were they all residents of Columbus?—A. They were all residents of Columbus.

Q. Were there any persons from other places there that night?—A. I do not think there were that night.

Q. Were there any during that day?—A. O, no; not during that day. I think not during that day. I am not positive, but I do not think any one there except residents of the town, that night.

ABOUT MEN FROM ALABAMA.

Q. Were there any men from Alabama there that night?—A. I do not think there were. There might have been a few campers who brought in cotton, a few parties who came in with wagons with cotton. But I am not prepared to say that there were numbers, though there might have been one or two or three or four mingled in the crowd, but not enough to justify me in saying that there were men from Alabama there.

Q. Were there no men from Alabama there about that time?—A. That night I do not think that there were.

Q. That day or the next?—A. They were there the next night; some there.

Q. How long had they been there before the next night?—A. I did not know anything about their being there until the next morning, when I saw some of them.

ALABAMA MEN IN TOWN ON ELECTION-DAY.

Q. The morning of the election?—A. Yes, sir; not about the mayor's office that night.

Q. I did not speak of the mayor's office; I mean the town and that vicinity.—A. If they were I did not know it.

Q. What hour the next morning did you see them?—A. The next day. I do not know what time in the day.

Q. You said the next morning.—A. I think the next morning. They did not report to me. I had nothing to do with them.

Q. I asked whether they were in town or not?—A. I think that they were.

Q. When did you hear of their being in town?—A. I think I heard of it next day.

Q. At what time the next day did you hear of it?—A. Well, say, along about the middle of the forenoon, I think.

Q. Who informed you of that fact?—A. I could not tell you. I suppose some of them. I was told by twenty different parties. I could not give the name of any particular party who told me. I was satisfied that they were there.

WITNESS SUPPOSES THEY WERE ARMED WITH PISTOLS.

Q. Were they armed?—A. If they were, I think they were armed with pistols. I do not remember to have seen a gun.

Q. Were they armed with pistols?—A. I do not know. I suppose they were. I suppose they were armed with pistols, but do not know it.

Q. You did not see them when they came there?—A. I did not see them when they came there.

Q. Do you know what they came there for?—A. No, sir; I do not know. They were not invited, so far as I know. They certainly never were there by any invitation of mine, and I do not know of any. I never heard of it; but I suppose that they were there in the interests of their race. That is just my supposition, just as it would be yours.

THE ALABAMA MEN WERE WHITE.

Q. What race did they belong to?—A. They were white men.

Q. They were there in the interests of their race?—A. That is my opinion, my inference.

Q. And that was election-day, was it?—A. Yes, sir. I can say this: I never saw a single one of them anywheres near the polls. I did not see one of them within two hundred yards of the polls. And my opinion is that they passed directly through the town and did not tarry at all. I do not know of that positively. I did not see them again until the election was over, at night.

Q. Then you know that they were there in the middle of the forenoon, or earlier?—A. I think they were passing through town; which way they were going I do not know.

Q. They were there at night?—A. Yes, sir.

THEY WERE MOUNTED.

Q. Were they on foot?—A. No, sir; those I saw were on horses.

Q. How many of them were there?—A. I do not know. Men on horseback you cannot tell; twenty-five, or thirty, or forty. I didn't pay any particular attention.

Q. Did they leave their horses in town?—A. Yes, sir; their horses staid in town that night.

Q. That night?—A. Yes, sir.

THEY STOPPED IN THE LIVERY-STABLE.

Q. Where did they stop?—A. They stopped at the livery-stable, I think.

Q. Were they entertained in the town there?—A. The town did not entertain them; they got their suppers.

Q. I asked if they were entertained in the town?—A. You mean by the citizens of the town?

Q. By some of the citizens?—A. Not that I know.

Q. Where did they put their horses?—A. At the livery-stable, as I think. I was never there within a square of the livery-stable.

Q. Then you do not know?—A. No, sir.

Q. You do not know where their horses were cared for and kept?—A. I will state that they were cared for at the livery-stable, though I never was within a square of them there.

THEIR EXPENSES PAID BY THE TOWN.

Q. Do you know who paid their expenses?—A. I do not know who paid all their expenses. A portion was paid by the town.

Q. A portion of the expenses of these Alabamians?—A. Yes, sir; of those horses. They reported to the chief of police, and he did not use them. I think a portion of their expenses was paid. I do not know about all.

Q. Then they came in and reported to General Sharp, did they?—A. That report would tell you more than I can tell.

THEY REPORTED TO GENERAL SHARP.

Q. I want to know if you can say that they reported themselves to the chief of police?—A. I do not know that they did.

Q. They reported to General Sharp?—A. I believe they did. I do not know. I simply supposed it. He says so in this report, that they asked him if he wanted their services to preserve order. I do not know.

Q. You did not see these men until the middle of the forenoon of election-day?—A. I say I did not see any of them there until then.

Q. I understood you to say that the circumstances on the day of election were painfully silent?—A. Very silent.

Q. And these men reported to General Sharp to know whether he had any need to use them for the purpose of preserving the peace of the town?—A. I did not know what time they reported to General Sharp. I simply say that I saw them in the middle of the forenoon.

Q. They might have reported to General Sharp the night before?—A. I think they might have reported to him early in the morning.

WITNESS SUPPOSES THEY REPORTED EARLY IN THE MORNING.

Q. At what time in the morning?—A. They might have reported early in the morning.

Q. How early?—A. It may have been an hour by sun, I suppose.

Q. Might not it have been before sun-up?—A. No, sir; I hardly think so.

Q. Why do you not think so?—A. I think I would have heard them going around. I did not hear them.

Q. Were you awake all night?—A. Pretty much.

Q. Where were you during that night?—A. First in the mayor's house, and then in my residence.

Q. What time did you go to your residence that night?—A. I did not sleep in my office that night. I went back about 3 o'clock, and slept until breakfast-time next morning, I think.

Q. Where did you see these men the next morning?—A. Along the streets. I did not see any large bodies then.

Q. Then don't you think they might have come into the town the night before without your hearing them?—A. I hardly think so.

Q. You say they did come in an hour after sunrise without your hearing them?—A. I did not say they did come in an hour after sunrise.

Q. Still you say you saw them in the middle of the forenoon, and you say it was oppressively quiet?—A. Very quiet.

Q. You think they may have reported, before you saw them, an hour after sun-up?—A. They did not tarry in town, as I saw; did not report at all. I did not see them five minutes, or three minutes.

Q. You say they may have reported to General Sharp an hour after sun-up?—A. They must have come into town before they reported, of course.

Q. They might have reported to him an hour after sun-up, then, and you did not see them come into town?—A. No, sir; nor did I say they reported an hour after sun-up.

Q. They might have done so?—A. Yes, sir.

Q. Then if you did not see them come into town an hour after sun-up, then they may have come without your hearing them the night before?—A. They could not have come in before 3 o'clock, I think, without my hearing them.

Q. Did you know every person that came into town that night?—A. No, sir; O, no, sir.

THE TOWN APPROPRIATED MONEY TO PAY THEIR EXPENSES.

Q. Then you know the town authorities of Columbus made an appropriation to pay the expenses of the men?—A. Yes, sir.

Q. How much did they appropriate?—A. I could not tell you that.

Q. You are the mayor of the town?—A. Yes, sir; but I don't carry those figures with me.

Q. You know nothing about it?—A. The books will show; I could not say with any accuracy.

Q. It was known to the council of the city?—A. Yes, sir; composed of the mayor and board of aldermen.

Q. The mayor and board of aldermen make the appropriations?—A. Yes, sir; its debts are to be paid upon their order.

WITNESS A MEMBER OF THE BOARD MAKING THE APPROPRIATION.

Q. Then, as a member of the board, you made an appropriation to pay the expenses of these men?—A. A portion of them; I do not know how much.

Q. How much did you pay, as near as you can state?—A. I cannot tell you. That is a matter entirely in the hands of the secretary.

Q. You had a vote on it, didn't you?—A. No, sir. Yes; I do vote in the council. I never vote unless there is a tie.

Q. You were present and took part in the proceedings?—A. Yes, sir; I presided over the meeting.

Q. Did it amount to $300?—A. It amounted in that neighborhood, I suppose. No; I do not know that. The extra policemen, they were put in, and I think it included three or four afterward. This $300 must have been for that. That amount included these extra policemen, eighteen or twenty, for three days, I think.

Q. When was the appropriation made to pay their expenses?—A. At the first meeting after that. The meeting is the first Tuesday in each month. I suppose it was the first Tuesday after that occurrence—I mean the first Tuesday of the next month after this occurrence.

Q. For what purpose did these men come there then?—A. I say it was stated to me that they reported to General Sharp as a patrol, to do any police duty they might be called upon to do.

Q. Then they were part of the police force?—A. Yes, sir.

Q. Do you know who commanded that company of Alabamians?—A. No, sir; I do not.

Q. Who did General Sharp report to you commanded them?—A. You have all the report he made.

Q. I asked you who he reported as commanding them.—A. He did not make any report. I have no report except that which you have there.

Q. I understood you to say that these men reported to General Sharp?—A. Yes, sir.

THEY OFFERED THEIR SERVICES AS POLICEMEN.

Q. How do you know that fact?—A. From General Sharp's report to me that they did.

Q. What did General Sharp report to you that they reported to him.—A. He says they reported to him that they were there subject to his orders; and he did not use them at all; but, as they came there, they did report. They came to him and offered their services as policemen.

Q. Do you know who furnished any arms to these Alabamians?—A. O, no, sir; I have no more idea than you have. I never heard of arms having been furnished them.

Q. You did not?—A. No, sir.

ONLY FIVE NEGROES MURERED.

Q. How many men were killed on that Monday night before the election?—A. I have had no reason—and I am satisfied in my own mind that there were no more—that there were four.

Q. Were they black men?—A. All.

Q. Were they republicans?—A. I do not know anything about that.

Q. You do not?—A. No, sir.

Q. Were there any white men killed there that night at all?—A. I think not; none that I have heard of.

Q. Did you take any steps as an officer to find out who were killed there that night?—A. O, yes, sir; I made diligent inquiry as to who was killed.

Q. State what steps you took to ascertain that.—A. I instructed the police to inquire around and ascertain, wherever they could hear of an instance where there was a dead man or a wounded man, and to report.

NO INQUESTS HELD.

Q. Were any inquests held upon the dead bodies?—A. None that I know of.

WITNESS HAS EVERY REASON TO THINK JOHN GORDON WAS KILLED.

Q. Do you know whether John Gordon was killed on that night?—A. No, sir; I do not know. I did not know John Gordon. I suppose he was killed. I have every reason to think he was killed.

Q. Do you know anything as to the circumstances under which he was killed?—A. No, sir; I cannot say that I do. If I did, it would not be evidence before any court.

WITNESS CANNOT RECALL ALL THESE LITTLE MATTERS.

Q. Have you not said some things that would not be evidence before a court?—A. Yes, sir. It would be difficult to recall what I heard about it. I think that the statement that was made to me was, that he came running out of a saloon—some one who saw him from the opposite side—it was very dark; he came out and flourished a pistol and threatened to shoot, and some one said to him he must give up that pistol, and he said he would die first. They were men regularly appointed to take away pistols, and to keep the peace. But he had been drinking,

and flourished his pistol, and after a time he was fired upon and killed. I cannot recall all these little matters; I give it as best I know.

THE CANNON WAS TAKEN AROUND PRETTY LIVELY.

Q. Was there a cannon used by the democrats during the campaign?—A. O, yes, sir; that was taken around pretty lively.

Q. During the canvass?—A. O, yes, sir; carried all around the county.

Q. Was it mounted?—A. Yes, sir; it was mounted—no, it was not regularly mounted. They had some old wheels from an old dray, on which they carried it about.

A NEW CARRIAGE AND CAISSON.

Q. Was there a caisson attached?—A. No, sir.

Q. Has it been since mounted?—A. Yes, sir.

Q. On a new carriage?—A. Yes, sir.

Q. And a new caisson?—A. Yes, sir.

Q. Has this been done lately?—A. Yes, sir; this year.

Q. Who paid for that?—A. The cannon was presented by the sheriff; the mounting of the cannon was paid for by subscription.

Q. By whom?—A. The citizens.

Q. White citizens?—A. Yes, sir; white citizens, or black, or anybody that wanted to. I do not know that they would apply. I do not know that the black citizens did, but some democratic negroes may have applied to, and may have given. I do not know.

Q. It was democrats who had the cannon mounted?—A. O, yes, sir.

Q. Where is it now?—A. It is in the mayor's grounds, belonging to the town.

Q. That does not belong to the town?—A. It is not the property of the town. I will tell what I suppose, if you want to know to whom it belongs.

CANNON BELONGS TO YOUNG MEN'S DEMOCRATIC CLUB.

Q. I ask for facts.—A. I cannot give the facts.

Q. Then just say so.—A. I don't know who it belongs to. I think it belongs to the Young Men's Democratic Club.

Q, But it does not belong to the city?—A. No, sir; I never regarded it as belonging to the town. I could not put it down on the assets of the city.

ABOUT THE WAREHOUSE THAT WAS BURNED.

By the CHAIRMAN:

Q. I will ask you whether you know where the shed or warehouse stood that you have spoken of, that was burned that night?—A. It was in the southern portion of the town. It was about a hundred yards from the other large warehouse; about a hundred yards; one hundred and ten yards from Gleed's.

Q. Was not Gleed's house the nearest structure there was to it?—A. No, sir; I do not think so. I may be mistaken, but I do not think so.

Q. His house was pretty near to it?—A. I do not know, but I think one hundred and ten yards—just a square.

Q. Was not Gleed's house on the same block with the warehouse?—A. No, sir; I think not.

GLEED'S HOUSE ON THE SAME BLOCK.

Q. The same street—the warehouse being on one corner and Gleed's on the opposite corner?—A. I think you are right. It was some street running longitudinal. It may be on that square, but I think not. I

think I am right. It was on one corner, and Gleed's on the corner on the opposite square. That is my recollection. I recollect pretty plainly now.

Q. Was it not on the same square?—A. [Witness, referring to town-plat,] I think there is a street right here, [indicating on plat.] I am certain there is a street right there, [indicating.] It is not on the same square with Gleed's, I think.

Q. That is the warehouse across this street? [indicating.]—A. You have got it exactly. There is a street running north and south, and right here [indicating] is the warehouse, on the north corner of the square, and Gleed's house is, I think, on the north corner of another square. I think there is a street running right along there, [indicates.]

Q. This is the warehouse here, [indicating] and that direction is north?—A. Yes, sir; and the cotton warehouse is about there, [indicating.]

Q. That is the warehouse, and it is inclosed by iron shutters?—A. Yes, sir; there is no openings, I think, on that side of the street.

Q. It was not really exposed to this building?—A. No, sir.

Q. Was not this building a mere shed of joists and posts, and a covering over the top of it?—A. Yes, sir; but an immense structure.

Q. And the grain that was in it was simply the corn of the season thrown in with the husks?—A. Yes, sir.

Q. The whole thing was not worth more than a couple of hundred dollars?—A. Yes, sir; it was worth more than that. The building itself was worth——

Q. Gleed's own house was about as much exposed as any other property?—A. No, sir; I think there was a house nearer than Gleed's.

SMITH HAD INSULTED GLEED'S WIFE—SMITH NOT HURT.

Q. Is it not within your knowledge that the indictment for assault with intent to murder was an indictment for an offense in an affair with this same Dr. Smith who had insulted Gleed's wife, and Gleed called him to an account for it, and undertook to cane him, or something of that sort, and finally a pistol was drawn and Smith was killed or injured? Is not that substantially it?—A. Well, it is in the main correct; but I do not think it is correct. I do not think the man was hurt at all.

Q. Perhaps not. That was the nature of the assault. Was not the indictment for perjury upon this point, that Gleed testified that he struck Smith when Smith was approaching him, and there was testimony to show, which the jury believed rather than Gleed's testimony in regard to the matter, that he struck Smith when Smith passed from him; struck back, instead of striking him as he met him?—A. I could not tell you anything about that.

By Mr. BAYARD:

Q. The indictment was found by a grand jury upon which his own people were in excess?—A. Yes, sir; certainly equal in numbers, to say the least.

Q. Who was the district attorney who sent up the indictment?—A. Major Whitfield.

Q. What was his politics?—A. He is a republican, of course.

W. W. HUMPHREY—LOWNDES COUNTY.

GENERAL APPREHENSION AMONG THE WHITES.

ABERDEEN, MISS., *June* 27, 1876.

W. W. HUMPHREY sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. Columbus, Miss.

Q. How long have you lived there?—A. I have lived there about fifty years—ever since I was a boy.

Q. What is your occupation?—A. I am a planter in Mississippi, and have been for twenty years.

Q. Did you live there last fall?—A. Yes, sir.

Q. Were you there during the political canvass?—A. Yes, sir.

Q. Were you at the election?—A. Yes, sir.

Q. What was the character of that canvass, prior to the election?—WITNESS. In what respect?

A PEACEABLE CANVASS.

Mr. BAYARD. In so far as peace and good order went, prior to the election.

A. We had no violence, or disturbance of the peace, or violation of good order, on that day—at any time on the day of election.

THE FIRE AND CONSEQUENT DISTURBANCE.

Q. Before the election there was a fire, and we would like you to give a description of what happened at that fire.—A. The day before election it was all peaceable, and calm, and quiet, so far as I know. I was not in the habit of mixing a very great deal with the young men and boys of the place, but I live near the center of the town, where I can see and know of everything that is going on. I saw no disturbance during the day. About between sundown and dark, or perhaps it was at dark, the time of the disturbance, there was an alarm of fire given. We frequently have—at least have occasionally—those alarms, and I paid no attention to it particularly, but after the first commencement—in a few moments afterward, an alarm was given again from another quarter of the town; thereupon I got up and went to the door, and in a short time a third alarm was given of fire, and then I went out on the street, and I met men who told me that the town was on fire all around the suburbs. I immediately went back and informed my family that I must be absent—must go and see about it. I did go. I suspected something wrong, and I could not conjecture what, and I went back again to the house, and then went out again, and found the suburbs of the town illuminated in various parts.

REPORT THAT THE NEGROES HAD FIRED THE TOWN.

It was at once said by somebody that some one had set fire to the town. I asked, "Who could have done such a thing?" Somebody said, the negroes were firing the town; that they thought it was negroes; that white people would not fire it. In a very short time, the whole town was in commotion, and I saw the military companies forming and the citizens gathering in crowds, very much agitated and alarmed, and I inquired what was the matter, and I learned that the suspicion was that the negroes had fired the town. Whether they done it or not I do not know. I do not pretend to know, but only tell you what I heard.

CITIZENS ARMED AND COLLECTED TO GUARD THE TOWN.

And the citizens were collected to guard the town; some with guns and some with pistols, some with weapons of various kinds. They were guarding all the passages, the main streets, and the cross-streets, and the by-ways, and everywhere, and in the mean time the fire was going on. I do not know how many buildings were consumed that night—probably five or six, or seven or eight—I do not know, may be more; I do not know exactly how many. About that time some military companies were organized and placed under General Sharp—citizens of Columbus—and I understood, I was told myself, if anybody called out to me to stop, to halt, to do so; for I went out with the company, to assist in guarding the town.

NEGROES SHOT.

Well, they said if I was ordered to halt that I must be certain to do so, or I would be shot if I did not. Once or twice I was ordered to halt by one or two or three men in a squad, and we always halted. In a short time, I understood a negro had been shot, and in a short time another, and perhaps two or three had been shot. I inquired why did they shoot them; the reply was that they ordered them to halt and they refused to halt or refused to make any explanation, and some of them had arms.

HEARS THAT NEGROES DEFIED TWO YOUNG WHITE MEN.

One of the military companies had drums and a fife, I think, and some one interfered and stopped them, and, perhaps, knocked in the heads of the drums, and told them to go home, it was no place for them at such a time to carry drums about; and I was told that there was one crowd of negroes that were ordered by two or three young men to halt; that the crowd of negroes consisted of seven, eight, nine, or ten men; and they refused, and said they would not do it, and they were all armed; they said they would not do it, and defied the two young men to halt them, and drew their guns upon them; the young men were compelled to let them pass, because two could not contend with ten.

Q. This was while the fire was going on?—A. Yes, sir; the fire was going on; I do not know but half a dozen there might have been burning at the time; may be more. I did not go to examine, except one or two.

Q. Were you familiar with the town?—A. Yes, sir.

Q. Did you know a man by the name of Robert Gleed?—A. Yes, sir.

Q. Do you know about where he lives?—A. Yes, sir.

GLEED'S HOUSE, NEAR THE WAREHOUSE, THAT WAS BURNED.

Q. How far was Gleed's house from the warehouse which was burned down?—A. I do not know; but a short distance.

Q. Is it in the same block?—A. It is close by. The town is a little ragged down there in that portion. It strikes me that the warehouse is owned by a man named Curtis; he had a little "nick" of land there in the square. Perhaps it is a fraction of the square. Gleed's house, it may be, is upon a cross-street. I not know precisely the distance, but I know the locality.

Q. Was that warehouse entirely destroyed?—A. No, sir; I do not know that it was entirely destroyed; but, to tell you the truth, I have not been there to this day. I never went to examine whether it was entirely destroyed, but it was burned; whether consumed I could not inform you.

ABOUT OTHER FIRES.

Q. There were fires in different quarters of the town?—A. Yes, sir.

Q. How far apart, would you judge?—A. The extreme parts of the

town, this one you have just mentioned, near Gleed's house, was—I suppose it would be a mile and a quarter from the extreme fire at the other end of the town. It may have been that fire was not so far, or a little farther.

Q. How many fires did you see burning at once?—A. I think I remember as many as six or seven.

Q. Where you saw the flame?—A. Yes, sir; with distinctness.

PEOPLE WERE IN GREAT CONSTERNATION.

Q. This threw the town in great consternation, did it not?—A. Yes, sir; the people were in great consternation, men, women, and children; we could not conjecture what the matter might be. No such thing ever had occurred before. I asked several men, "What reason have you to suppose any particular persons are doing this thing?" "Well," some would say, "the negroes had been making threats to burn the town."

WITNESS HEARD THAT A GENTLEMAN SAID.

Q. Do you know of any action being taken? Were you ever present at any hearing in an arrest?—A. No, sir; I do not know of any arrests. I heard this stated, that a gentleman said that in his neighborhood, about two miles from town, that on the morning of the day the houses were fired, some negroes got up in the house, and went out, and said, "Well, we do not see any fire yet." They were looking out for a fire—looking out for the town to be fired; but I paid no particular attention to them; there were so many things that were said, or talked of, at that time. I do not know; the matter did not alarm me. I did not charge my memory with it.

WITNESS HAS NO DOUBT THAT NEGROES FIRED THE TOWN.

Q. Have you any doubt at all that the town was assaulted by incendiaries on that occasion?—A. I have none at all.

Q. You think that the fires were not casual ones?—A. I think that could not possibly have been. You gentlemen can judge as well as I can of that, whether they were the result of accident or not. They were evidently by design.

Q. This happened about what time in the night?—A. It continued for some time. Think the first was commenced about 8 o'clock, and perhaps continued until 11 or 12 o'clock. I had been dodging about, and would occasionally return to my family to see if they were doing well, that nobody was disturbing them, for the fear was that the women and children were to be assaulted. That was our apprehension. I remember going home between 12 and 1 o'clock myself. I did not go home until that time, and I was pretty much over the town, and saw all guarded, every portion, from one end to the other.

Q. That was after the special police were called out by the mayor, under Colonel Sharp, chief of police?—A. Yes, sir.

Q. Were you in town the next day—the day of the election?—A. Yes, sir.

Q. Did you vote?—A. Yes, sir.

Q. How long were you at the polls?—A. I was there all day. I was one of the judges of the election at that box.

PEACE AND GOOD ORDER ON ELECTION-DAY.

Q. What was the character of the election as to peace and good order?—A. Well, I have never seen an election anywhere where there was more perfect peace and thorough good order; not an unkind word or look so far as I know. There were three of us; we went down and opened the polls.

Q. How many republicans among those who opened the polls?—A. They were. I do not know whether they voted or not.

ABOUT THE POLITICS OF THE JUDGES OF ELECTION.

Q. I am speaking of judges of election.—A. You want to know how many judges there were at the election? I do not remember; I could not tell you. I remember Colonel Gibbs was one of them. I was another; but there was one I cannot inform you now. I do not know what Gibbs was. I hardly knew what he was; sometimes he was a democrat and sometimes I believe a republican. I cannot tell you; I do not remember the other. I knew there were as many as two; there might have been five or three judges. I do not remember.

Q. You had two republican tickets in the field?—A. Yes, sir.

Q. And one democratic?—A. Yes, sir.

NEGROES VOTED BOTH KINDS OF TICKETS.

Q. Did you see or know of any colored men voting the democratic ticket that day?—A. Yes, sir; early, as soon as the polls were open. I suppose when the judges and clerks reached the locality where the box was to be opened, there were some fifty or sixty negroes. I would judge that there were that many standing around the polls, and when the polls were opened they did not come in to vote, and I walked out upon a little platform and said to them that the polls were ready now to receive your votes if any wish to vote, and I presume that you all wish to vote. They said nothing, but seemed to maintain a sullen silence; they did not wish to come in, and they did not come in to vote. Then in a short time, say fifteen or twenty minutes, I went out and announced to them that we were ready to receive votes, and if they wanted to vote to come in and do so; that there was nobody to disturb or make them afraid, and then they commenced voting, and they voted along there during the day; and there was not an unkind word, so far as I know, by any man that day, white or black. I know of some black people voting, and they voted both tickets there that day. I could not tell you certainly how many votes were polled, but it strikes me—I would not have you rely upon that by any means—I think about seventy or seventy-five at that box.

Q. What votes?—A. Well, there were some republican and some democratic votes; some were colored, and some white people.

NO INTIMIDATION.

Q. Did you see anybody who was intimidated, or know of any one who was intimidated that day by anybody?—A. No, sir.

Q. Nothing of that kind, to your knowledge?—A. No, sir; there was nothing of that kind there done. If there had been anything of that kind it would have come to me; it would not have been tolerated, if attempted. Colonel Gibbs, one of the judges, went out several times during the day and invited the negroes to come up and vote, but they hung back.

ABOUT THE FIRE-COMPANIES.

By the CHAIRMAN:

Q. How many fire-companies are there in Columbus?—A. Two or three, I think.

Q. How many men in them?—A. I think some forty or sixty, I suppose.

Q. In each company?—A. Yes, sir; I think so.

Q. Are they young men, generally?—A. Well, they are; you know these things are by comparison.

Q. Under forty, or thirty-five?—A. Yes, sir; from twenty, twenty-five, thirty, forty-five, may be some fifty years old. I do not know.

Q. You say these fires occurred between 8 o'clock and 11 o'clock?—A. No, sir; the fires occurred from 8 until 9 o'clock, and continued as long as that.

Q. They were small structures, were they, except the first?—A. None of the buildings very large; I do not know.

TAYLOR'S HOUSE BURNED.

Q. How large was the largest fire that you saw?—A. There was a fire not very far from my residence. I suppose the house that was burned was forty or fifty feet in length, and eighteen or twenty feet wide; the material was pretty combustible. It was a pretty dry time, in a combustible state; but I could not tell any more just how large. I have no way of ascertaining the dimensions of a fire.

Q. Who owned that house?—A. I am not sure, but I think (I do not want you to rely upon that, because it is only my impression) that it was Taylor's.

TAYLOR AND HIS POLITICS.

Q. Who is Taylor?—A. He is a citizen there.

Q. A wealthy man?—A. No, sir.

Q. What are his politics?—A. Well, sir, he is a very quiet, unobtrusive sort of a man. He used to be an old whig—a man who hated democracy—but I do not know, really, what he is since the war. My opinion is that if he was called on now he would not be what we call a radical. I do not think he is; I think I have heard him say he was not. He is a very quiet man, talking but very little, and you would have to ask him direct before you would learn, if you should see him.

Q. Did the fire from his house extend to any other property?—A. No, sir; I do not think it did extend to any other property. I think it only burned them.

Q. Did you see that fire?—A. Yes, sir.

Q. What time did that break out?—A. I think it might have been 8 o'clock; it might have been half after eight. I do not know the time.

Q. How long did it continue to burn?—A. Until it burned the house down.

DID NOT SEE MILITARY COMPANIES, BECAUSE HE WAS GUARDING HIS OWN HOUSE.

Q. How long?—A. Perhaps an hour and a half; maybe longer than that. We were in such a state of consternation that we took no note—at least I did not.

Q. Were the fire companies there?—A. Yes, sir.

Q. Both of them?—A. I think so—at the fire; I do not know. I did not go around to the fire.

Q. It was near you?—A. Yes, sir; I suppose 250 yards.

Q. Could you not see whether or not the companies were there by the shouting and the noise of the engines?—A. I might have seen, but I was guarding my own house a little.

Q. You did not see, then?—A. No, sir.

Q. Were you on the street that evening, and did you see the military companies out?—A. I do not remember my being on the street when they were there.

Q. In the evening, I mean?—A. I do not remember whether I was on the street then or not.

Q. After the alarm of fire?—A. I was on the street, but it was mostly around about my house, or in the neighborhood of my house.

Q. Did you or not see military out that night?—A. I did not see the military out because—though I could have seen them—because I was hanging around my house.

Q. Besides this house of Taylor's what other fire did you see that night?—A. I do not know the owner of the house. I think the warehouse was owned by a man by the name of Curtis.

BUT HE SAW SIX FIRES.

Q. Did you see any other fire that night?—A. I saw several fires. I saw as many as six.

Q. What other building did you see burned that night?—A. I cannot tell you what building was burned.

Q. I did not ask whose building, but what other building anywhere?—A. There were out-houses. I seen some out-houses; perhaps there might have been a stable or two that was burned. I have not been to the localities since to see.

Q. You say you saw five or six, seven or eight, and there might have been more?—A. I did not say eight fires; I said six or seven; I still think so.

Q. How many fires did you see that night?—A. I told you five or six or seven.

Q. But you cannot name any other than those two specifically?—A. I could if you asked me what square. I cannot tell you the building nor whose building. I cannot tell you that. I do not know. I am not sure that the house that was burned belonged to Taylor. I may be mistaken about that.

DOES NOT KNOW THAT THE FIRE-COMPANIES WERE OUT.

Q. Do you know whether the fire-companies were out there at those fires that night—at any of the fires?—A. I do not know where the fire-companies were; I could not tell you. Perhaps you may find witnesses who can tell you. I do not know.

Q. You do not know whether they were at any of the fires?—A. I think so. I only judge of that by the hallooing, and parade, and the firemen shouting, that I heard going on, but I did not go where they were.

Q. If there had been any one's property besides the Curtis and Taylor houses, of any considerable value, would you have known it?—A. I should have known of the houses—that some one had lost a house.

Q. Were not the rest of the fires of property of very little value, or material that had no commercial value—mere rubbish and refuse?—A. I do not think they were very valuable places, but if it was all a man had he might think it valuable; but I do not think they were very valuable otherwise.

NEVER HEARD GENERAL SHARP EXPRESS AN OPINION ABOUT THE FIRES.

Q. Have you ever heard General Sharp express any opinion as to how these fires originated?—A. I have not.

Q. He never said anything about them?—A. I think not.

Q. Has anybody ever been prosecuted—any complaint entered against anybody?—A. I cannot answer that question.

Q. Have you known of any?—A. I do not know; I may have; I would not be positive about that.

Q. You say there were about 75 votes polled at your beat where you were one of the judges?—A. I think about that many.

Q. What is the usual number at that beat?—A. I have not been presiding there at that box before, and I do not know the number. I have

not taken any notice of the number of votes polled at any particular beat. I could not tell you now how many votes were polled.

Q. You do not know how many judges were with you presiding?—A. Either three or five; I do not recollect.

Q. Of course you cannot give the names of them?—A. I know Colonel Gibbs was one, and I think a black man; I think so.

SOME BALLOTS THROWN OUT.

Q. Were some ballots found in the box that were rejected by the judges?—A. After the balloting was about over, and we were about ready to count the ballots out, somebody said to me that—I think we had commenced counting—that they had found two or more tickets where there should have been but one.

By Mr. BAYARD:

Q. Double tickets, you mean?—A. Yes, sir; just double tickets, I mean, and we threw them out. I was told to take them out, and they were thrown out; I think something like two or three. I do not believe that there were more, and my surprise was how these double tickets could have gotten in there; because I am sure I was there attending to what was going on during the day. They were thrown out, and when we came to count the registered votes the tickets corresponded exactly, and I never thought of it afterward.

H. W. LEWIS—LOWNDES COUNTY.

CHARACTER OF THE CANVASS FOR PEACE.

WASHINGTON, *July* 8, 1876.

HIRAM W. LEWIS sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Where do you reside?—Answer. My last place of residence was Columbus, Lowndes County, Mississippi.

Q. When did you leave?—A. I left there with my family on the 18th of last May.

Q. How long did you reside at Columbus?—A. I resided in Lowndes County from March, 1868, till last May; in Columbus five years.

Q. Were you a native of that country?—A. No, sir.

Q. From what place did you go there?—A. I went there from Tiffin, Ohio.

Q. Were you in the Army?—A. Yes, sir.

Q. In what capacity?—A. A private.

Q. During your residence in Lowndes County did you hold any offices?—A. Yes, sir.

Q. You may state what they were and when?—A. I was a member of the legislature of 1870 and 1871, and was elected sheriff of that county and tax-collector in 1871, and re-elected in 1873, and held that office until the 1st of last January.

Q. Were you a candidate for election at the last State election?—A. I was.

Q. For sheriff?—A. Yes, sir. During the last two and a half years I was also one of the editors of the Columbus Press, at Columbus.

Q. You may state to the committee what circumstances occurred in Lowndes County, during the canvass, affecting its character for peace.

PROPORTION OF DIFFERENT VOTERS.

A. The history of that campaign, in brief, is this: The registered voters of the county, by the examination of the books as well as I could examine them—they were in some disorder—were about 4,800 colored, and of whites about 1,300. There were of white republicans in the county probably 40. Of the colored men there were, previous to the last campaign, probably never over 25 votes counted with the democracy.

We were divided some in that county—the republicans were—there were two factions of the party. In one, Mr. Gleed, a colored man, was a candidate for sheriff. He led one ticket. I was candidate for sheriff upon the other ticket. It was the same way in 1873, when I was elected the second time.

THE LEWIS REPUBLICANS HAVE A CONFERENCE WITH THE DEMOCRATS.

We started the campaign quietly, and everything seemed to be peaceable and went on as well as usual up to within two months or six weeks before the election. Some members of the democracy came to myself and other leaders of our division of the party about that time and wanted to make a compromise.

We saw that the campaign was becoming very warm in other parts of the State, and there was a good deal of violence and bloodshed, and in order to protect ourselves as best we could and keep the party as well in hand as possible we thought that it would be better to place some of their most liberal men upon our ticket; and we met them in conference, the chairman of their committee and other leading democrats, and they made a proposition that if we would put upon our ticket a treasurer, assessor, and two members of the legislature, out of a list of men which they should furnish us, they were certain that the best element of the whites, the property-owners, and intelligent men—the liberal-minded men—would succeed in defeating any nomination by the democracy, and that they would support our ticket.

We told them that we did not believe that we could carry that all through; we did not think that we could induce our party to give up two members of the legislature on the ticket, but we might give one, and two officers upon our county ticket.

They told us to do the best we could and they would do the best they could to control the action of the party.

We therefore placed upon our ticket for treasurer Robert R. Spiers, and Mr. Richard Hazelwood for assessor, and we nominated for the legislature Col. Joseph E. Leigh.

THE DEMORATS NOMINATE A FULL TICKET.

The democrats had a convention, and these men I think did all they could to control the action of that convention and to defeat any nomination being made; but the Bourbons, as we called them there, the hotheaded element of the party, controlled the convention and put a full ticket in the field.

Then began a very vigorous campaign. They organized what was called the Young Men's Democratic Club of Columbus, composed of young men, perhaps all under thirty years of age, and they held meetings at the court-house. They made very incendiary speeches there, two or three nights in the week right along.

THE DEMOCRATS SEND TO NEW ORLEANS FOR A CANNON.

They sent to New Orleans and got a 24-pound cannon to fire, and they organized meetings in different parts of the county, and pro-

ceeded there accompanied by their speakers and some thirty or forty of these young men on horseback, with pistols strapped about them in full view, which they would fire along the road coming and going. They took the cannon in different parts of the county by rail and fired it off from a platform-car. It was too heavy to transport along the highway, so they took it on the cars only; and they fired it also in the city frequently evenings, and it got up a good deal of intimidation among the negroes. We saw at once that they were becoming very much demoralized. The party was thoroughly organized in clubs, and we kept at work and made speeches to the clubs all through the county, and still hoped that we should have a fair election.

DEMOCRATS PROMISE A FAIR ELECTION.

These men who had failed to defeat the nomination still pledged us to do all they could to secure a fair election, and we were under the belief that when election-day came we would probably have a fair election; that they would only do what they could to frighten the negroes up to the day of the election, and that they would then cease their efforts and we should have a quiet election. We relied in that matter somewhat upon the pledges of General George, the chairman of the State democratic executive committee, made to Governor Ames. We were going along finely in that way until a day or so before the election, Saturday night, I think it was before election, when the democrats took down one of the men they were running for legislature and nominated Colonel Leigh, who was on our ticket. That seemed to stop the efforts of the liberal democrats to keep down the hot feeling and to neutralize their efforts to a great extent.

ANOTHER CONFERENCE—SPECIAL DEPUTIES APPOINTED.

We had a conference, however, with the chairman of the democratic committee Sunday evening preceding the election, and with other leading men—conservative men, as they called them—who had been encouraging us; and we appointed a large number of that class of men to go to keep watch of the ballot boxes in the county, as special deputy sheriffs, and see that the voters should be protected; to see that the hot-heads, the young fellows, should not override them, and that there should be a fair count. These men were selected and put upon a list, and everything was arranged for them to start there early on Tuesday morning, to the different beats in the county, to serve in that capacity.

NO APPREHENSION OF SERIOUS TROBLE—NOTHING MORE THAN OUT-HOUSES TO BE BURNED.

On that evening, however, in discussing the matter, the chairman of the democratic committee stated that he did not think there was very much going to be done. There was some little discussion between him and some others, and he remarked that he did not think there was anything going to be done, only the burning of a few privies or something of that kind. He had in mind, I presume, the mayor's election of the year before, in which, while the counting was going on, they had set fire to some privies and then raised the cry of fire, and ran over the polling-boxes with the fire-engine; and he said he did not think these young bloods were going to do anything more than set fire to a few old privies or something of that kind. However, we apprehended that there would be something of the kind, either in the counting of the votes or before the election.

THE GLEED CLUB ASSAULTED.

On Monday night preceding the election, the Gleed club, which had

its headquarters at our end of the town, started down to get their tickets, to be distributed at the lower end of the town, at the school-house, and they started down with their drums beating. When they got to Hatch's corner, the center of the town, and were beating their drums, they were set upon by some of the young white democrats, and the drum-heads were cut out, and a general stampede followed.

THE ALARM OF FIRE.

Perhaps thirty minutes after that, I heard the cry of fire. I ran up to the balcony upon the second story of my house and looked to the south end of the town, and saw a large blaze springing up and heard a great cry of fire, and firemen running to the engine-house, and in perhaps less than a minute from this time I saw another large flame leaping up at the the northern end of the town, and I remembered at once the remarks that I had heard made by the chairman of the democratic committee, and believed that trouble was coming.

FIREMEN ABANDON THE ENGINE BEFORE REACHING THE FIRE AND GET THEIR GUNS.

They got out their engine, and ran perhaps a square with it, when they abandoned it in the middle of the street, and the order was given for every man to get his gun, and in less than five minutes it seemed the whole town was picketed.

COULD HEAR CRIES OF "HALT," AND FIRING IN EVERY DIRECTION.

I could hear the cries of "halt," and firing in every direction all over the town. It seemed to be almost incessant.

HORSEMEN FROM ALABAMA RIDE UP AND DOWN FIRING.

Squads of horsemen were there from Alabama. I had been informed by General Sharp, the chairman of the democratic committee, on the preceding night, that there were one hundred or so of these mounted Alabamians in town, but he did not think they were going to do anything; he thought he would be able to control them.

They immediately began to rush up and down the streets with their guns, shooting right and left, and a general riot was coming on, and firing was heard all over town. I did not leave my premises then, as I thought it was safer to stay upon my own place and protect my family.

WITNESS TO BE HELD RESPONSIBLE FOR THE FIRES.

In about 30 minutes—I could see squads marching up by the lamplights on the streets—a small squad came to my house, some 10 or 12, with State arms in their hands and fixed bayonets. They rang the door-bell, and Mr. Bliss, who was boarding in my family, went to the door, and they informed him in an excited manner that there must be no more alarms of fire; that if there were, Mr. Bliss and myself would be held responsible for it. They then left.

The squad being commanded by Captain Johnson, captain of a militia company there—an independent company—and he being a very bitter enemy of mine, politically as well as personally, I was afraid that he would take advantage of the occasion to do me an injury, and I started out upon the streets to find some of my friends that had been guaranteeing a peaceable election.

I met a squad, who halted me, and I told them that I was going over to Dr. Brownrig's, over across the street. He was a friend of mine, and our family physician. My wife was not very well, and was exceedingly worried by the conduct of these parties shooting around and in front of the house, and arresting negroes in the street in front.

WITNESS HALTED BY ARMED SCHOOL-BOYS.

I was halted by a squad of young school-boys, who had been ordered out with arms on that evening. They had just turned out from their armory with their arms, and were marching up, led by their principal, Professor Belcher, in command—going up, I suppose, to help patrol the town.

The firing continued all night. I did not leave my place any more, however. Dr. Brownrig came to my house, and afterward Colonel Leigh came, and they assured me that they would do everything they could to protect my family, and I remained at my house all night.

FOUR NEGROES MURDERED—A NUMBER WOUNDED.

The firing was kept up at intervals all night long and next morning after daylight. The number of killed was but four. There were quite a number wounded, however; I don't know how many.

OLD MAN GREEN KILLED AND HIS WIFE WOUNDED.

An old man, I think his name was Green, and his wife, I was informed, were going to a cotton-field to pick cotton at the lower end of town, about daylight on the morning of the election, and were commanded to halt by a squad of men, and upon their starting to run, were fired upon, and the old man killed and the woman wounded severely.

ALECK LATHAM TAKEN OUT AND SHOT.

Aleck Latham, a crippled shoemaker, was taken from his house during the night and held by a party of them and shot by others and killed. The names of the other two I don't recollect now.

I published an account of it in the Press, and if I had it with me I could give them. But there were four killed outright, and they were not buried, I think, until the day after the election. James T. Harrison, jr., one of the leaders of the democratic club, informed me on the day of the election that the body of one of them was lying in a store just across the street from the polls at that time. That was in the middle of the day of the election.

THE POLLS OPENED.

Q. Were you present at the polls on the day of the election?—A. I went over there in the morning to see whether the polls were going to be opened or not, and they were not opened yet. All the republican officers seemed to be backward, the judges and all. The box was not there. The box had been left at a cabinet-maker's to be repaired, and a crowd of young democrats immediately demanded of me that these polls should be opened. I told them that I had nothing more to do with it than they had; it was no part of my official duty. With a great many oaths they swore that the polls must be opened right away, and I would suffer the consequences if they were not. I hunted up the registrar and found that the box had been left for repairs near by, and I went there, in company with a democrat, and got the box, and the polls were opened.

BUT FEW NEGROES CAME TO THE POLLS.

There were but a very few negroes to be seen upon the streets. I don't suppose there were a dozen. I don't remember the number of republican votes cast, but my recollection is that there were but thirty-odd republican votes cast in the city. There should have been about five hundred, according to previous elections.

HOW NEGROES CAME TO VOTE THE DEMOCRATIC TICKET.

Occasionally I would see a negro being conducted up to the polls by some one of the young white men to vote, and they would stick to him

and go with him right up to the box, and in some instances they told him to vote in whichever way he pleased.

NO REPUBLICAN BALLOTS.

There were no republican ballots to be had, however, at the polls, and they invariably, under these circumstances, voted the democratic ticket. Some would tell me as they went away past my house that it was the hardest thing to do that they had ever done in their lives, but that they thought their lives depended upon it, and that they were obliged to vote in that way.

ONE HUNDRED AND FIFTY COLORED MEN FORCED TO VOTE THE DEMOCRATIC TICKET.

I heard of one or two instances where a man with a gun at carry-arms had walked the negroes right up to the box and voted them in that way. They would find them hid out in the cotton-fields, and in or under their houses, and drum them up and bring them out and take and vote them; and I think in that way about one hundred and fifty colored men voted the democratic ticket.

WITNESS THINKS THE FIRES SET BY YOUNG WHITE MEN OF COLUMBUS.

Q. Do you know anything about the origin of this fire Monday night more than what you have stated?—A. It has always been my belief that they were fired on purpose by some of the young men of the town, young democrats. I made that remark to a gentleman an hour or so after the fires occurred.

"DON'T REPEAT IT."

Q. Who did you tell it to?—A. To Dr. Brownrig. He remarked at once, to me, "Don't repeat it. If any one should overhear you your life would not be safe; you would be killed before morning." And I took a lesson from that and did not talk about it.

CAPTAIN SPIERS'S OPINION—HE IS FORCED TO RETRACT AND SIGN A PAPER STATING THAT NEGROES SET THE FIRE.

Capt. Robert R. Spiers, who was upon our ticket for treasurer, who has always been a democrat and was a confederate soldier and a native of the South, the next morning felt so outraged about it that he remarked to some one that he believed that the young white men had set fire to the place on purpose to get an excuse to kill negroes. In a short time afterward, while he was sitting in the back end of his store, a couple of young men came in, named John Gilmer and James T. Harrison, jr., and, with their pistols presented to his head, handed him a paper, telling him that if he did not sign that immediately they would blow his brains out.

The paper was a statement that he believed the negroes had set fire to the town with the intention of burning it up. He told me about it an hour afterward, and said that he felt that his life depended upon it; that he had been in a great many close places in the war, but he had never been in a place where he thought his life was in such peril as that moment, and he signed it.

Immediately they posted it up on a bulletin-board in the most public place in town. After that a great many who did believe it would say it in whispers, but nobody that I know of ever said a word about it upon the public streets.

GENERAL SHARP'S OPINION.

Q. Do you know of General Sharp expressing an opinion about it?—A. I have stated that he said that if anything was done it would be only firing some old privies, or something of that kind.

Q. Do you know of his saying anything afterward concerning it?—

A. No, sir, I don't. I never said anything to him about it afterward. There were democrats, however, who stated that the young men fired the place; but I would not like to give their names, as it was told me in confidence, and I would not like to expose them.

VALUE OF THE BUILDINGS BURNED.

Q. Do you know the buildings that were fired; how situated in reference to other buildings?—A. One of them, in the south end of the town, was an old shed standing upon posts, and a very rickety old affair, and was some considerable distance from any dwelling-house. The nearest dwelling-house to it was the house of Robert Gleed, the candidate for sheriff.

Q. Your opponent?—A. Yes, sir; the other was an old stable of very little value, in the north end of the town, situated on the edge of a ravine, and isolated from other buildings; so much so that, while there was no fire-engine there, the efforts of a few colored men pulling down fences, &c., kept the fire from communicating to other buildings.

WITNESS KNOWS OF BUT TWO FIRES.

Q. Do you know whether any other fires were set that night except the two you have spoken of?—A. I am positive there were not. It was said by the young men upon the streets next morning that the town was fired in a dozen places. I never learned of anything to corroborate it at all.

ONLY ONE NEGRO IN FIVE OR SIX HAD ARMS.

Q. Do you know to what extent the negroes were armed in Columbus and in Lowndes County, and what was the character of their arms?—A. In Columbus there were two small companies, perhaps twenty-five or thirty in each, who had arms—militia companies. Throughout the county there were only such arms as they had for hunting purposes; shot-guns, and occasionally one had an old pistol. Perhaps one colored man out of every two or three—no, not so many as that; one colored man out of every five or six—had a gun or pistol, I should think.

TWO NEGRO MILITIA COMPANIES.

Q. Were these militia companies that you speak of there in existence at the time of the election?—A. Yes, sir; their officers were not commissioned, but they had arms, and would drill occasionally about the streets, same as the white companies.

Q. Who commanded these companies?—A. One was commanded by a young man named Mark Brownley, and the other by Ben. O. Young.

Q. Colored men?—A. Yes, sir.

FIRE-ENGINES ABANDONED AND THE FIREMEN ARM.

By Mr. CAMERON:

Q. Did you state that the fire-engines were taken to either of these fires?—A. No, sir; they were taken about a square, I should think, and then abandoned; left in the street while they went to get their guns.

Q. Was Columbus at that time supplied with water for the extinguishment of fires?—A. Yes, sir; there were very good hydrants there for fire purposes.

By the CHAIRMAN:

Q. Have you anything further to state in reference to this matter?—A. No, sir; and would not have made the above statements had I not been required to do so by the interrogatories of the committee.

W. B. CUNNINGHAM—MADISON COUNTY.

THE EXCITEMENT ATTENDING THE CANVASS.

JACKSON, MISS., *June* 12, 1876.

W. B. CUNNINGHAM sworn and examined.

PERSONAL STATEMENT.

By Mr. MCMILLAN:

Question. In what county do you reside?—Answer. In Madison County.

Q. In Mississippi?—A. Yes, sir.

Q. How long have you resided there?—A. I have lived there ever since the war. I came here in November after the war—November, 1865.

Q. Do you reside at Canton?—A. No, sir; the first station below Canton. It has been my home.

Q. Have you been judge of one of the courts?—A. Yes, sir; for the last six years. My term of office is out; the 8th of this month it expired.

Q. How do you designate the district?—A. The State circuit court, 14th district.

WITNESS ADJOURNED COURT ON ACCOUNT OF THE POLITICAL EXCITEMENT.

Q. Will you state, if you please, any knowledge you have in regard to the circumstances preceding the election of 1875; any occurrences that transpired during the campaign, of your own knowledge, up to and including the day of election?—A. I was in Holmes County holding a court a week or so before the election, and they had so much excitement there, at the bar, that I came to the conclusion to leave there and go away, at least to adjourn the court on account of the excitement there, and I was at my house two or three days; perhaps for ten days before the election, I was at home.

THE DRUMS OF A NEGRO CLUB EXASPERATE THE DEMOCRATS.

The republican club was in the habit of meeting on my place. The negroes would meet there. There was a church there and they make their churches their political headquarters as well as a place for religious purposes; and they had drums there. I was notified by democrats that I had better make them stop their drumming; that it was exasperating the people and would lead to trouble, and I did go and tell them, and they had also to quit holding their meetings there. I made them go home after they had gathered once and not hold any meeting. I got them to go home.

ARMED WHITES NEAR THE WITNESS'S HOUSE.

The negroes once came to me and told me there was some armed men on the road, fifteen or twenty near my house, and we didn't know what it meant. They were white men and they were armed, and we did not know what was going to take place, and for that reason I told the boys that I thought it best to keep quiet, and for them to go to their homes and be still. They did not do anything; we were not injured by those men I speak of.

Q. Was there in that county any compromise made in regard to the ticket that was placed in the field and voted for?—A. Yes, sir; they had two tickets. They had a republican ticket and a democratic ticket.

That county has been republican and has voted republican ever since the war, every election that we have had.

MADISON COUNTY STRONGLY REPUBLICAN.

Q. About what majority?—A. From one thousand five hundred to two thousand, sometimes larger. I was elected to the legislature by two thousand three hundred majority once; and the majority has generally been say one thousand five hundred and over, republican. We had our two tickets as a general thing.

THE MEETING AT CANTON.

Q. A republican and a democratic ticket?—A. Yes, sir; and went along, and about a week, I think it was perhaps on Thursday—the election was Tuesday, and I think the Thursday before—it may have been Tuesday or Wednesday, but during the week, and about the middle of the week before the election, I was sent for by the sheriff of the county to go to Canton; that it was a call for important business; I do not know what. I went up.

DEMOCRATS SENT $4,000 FOR ARMS.

There were about forty men, the leading republicans of the county; word had been sent to them. All the county republican executive committee were there nearly; and the sheriff made the statement to the meeting that he was helpless to preserve peace; that armed men were in the town, walking back and forward. Four thousand dollars had been sent away for arms, and companies were organizing and had everything prepared for action, and they intended to carry the election at all hazards, &c.; and that he, therefore, thought it best to call us together.

THE SHERIFF "HELPLESS AS A SICK CHILD."

He had been a friend to the republicans and was a republican himself, originally from Pennsylvania, as I am, and he said he was helpless to preserve order, and felt it his duty to call his friends together and tell them. His language was he was "as helpless as a sick child to preserve order here any longer." He had been sheriff for six years, perhaps. "Armed men are all around. I have no arms, and if I had I could not do anything. I advise you, for the sake of your lives, and for your wives and children, to make this compromise." I made the suggestion, and Senator Pratt, who was elected and a republican, he, perhaps, made his statement; and we listened to what he had to say, and others had to say; and all these different parties made their statements; and what led to the compromise was the fact that several leading democrats of the county, and who were also leading democrats of the State, and one of whom has since been appointed to a judgeship in the State, who came to the sheriff and told him——

REPUBLICANS URGED TO COMPROMISE.

By Mr. BAYARD:

Q. Give the name.—A. I will do so; but I did not hear him say so. Judge Campbell, now supreme judge, and one of the best men in the State. He is a very good man and a friend of mine. He and other men like him—good men—came to the sheriff and told him that they wanted them, if they could not go into this compromise, then he wanted them, for God's sake, to get troops—Government troops—here, if they could not get the compromise effected.

IT WAS TO SAVE LIFE.

By Mr. BAYARD:

Q. This was Judge Campbell?—A. Yes, sir; about half a dozen, among

whom was Judge Campbell; and he intended the fact which he stated to be exactly the truth, and intended it exactly for the office it performed. He said that "it was to save life." It was devised by leading democrats in the county. I will say that, and I can give the names of those who know all about this thing. They desired the compromise for the purpose of saving life. We would not be disturbed on the day of the election, but the day before the election; the idea was to raise Cain before the day of the election and get the negroes all scared; not to kill them; not necessary to kill them if they would scare well. Did not want to kill them; that was well understood.

THE COMPROMISE.

By Mr. McMILLAN:

Q. What was proposed at this assemblage?—A. It was proposed that we go out and make the best compromise we could; get up a compromise ticket and vote it. The republicans were to have certain officers of the ticket if we would just agree that certain democrats should be chosen; we were to go and make up the best compromise we could with the democrats, and then vote that ticket. They talked the matter over, and consulted with different men, and different men told how matters were in different sections, and what had taken place about being run from their homes. A compromise committee was appointed and the compromise entered into. They were to confer, and the compromise be entered into and made in writing by the republican committee and by the democratic committee, and we all stood by it. The negroes were very much, some of them, put out about it.

YOUNG DEMOCRATS DISHEARTENED BECAUSE THEY COULD NOT USE THEIR GUNS.

They did not want to vote for any democrats, and some of the young bloods of the democrats were very much disheartened because they did not get any chance to use their guns they had bought, &c.; but after the compromise was effected we had a quiet election. Some did not vote.

SOME NEGROES DO NOT VOTE.

Some negroes did not vote who had been voting for ten years. Men that have been voting, and been intimate with me politically, and went by my advice ever since, did not vote at this election.

I was at the election; was there all day; was commissioner of elections appointed by Judge Hill, one of the United States commissioners of elections, and was there all day at the election. I went there before breakfast, and staid all day until 9 o'clock at night, and saw the ballots counted, and helped to count them.

Q. Prior to the time of this proposition and the agreement that was entered into, this compromise, had you seen any indications of preparation of a character which would denote intended violence or terrorism of any kind upon the part of persons in that community? and, if so, give the general character of them.—A. I cannot say that I did particularly. It is difficult for me to answer that question. I know of a good many things I did not see.

WHITES ARMED.

Q. Did you see any persons armed?—A. I saw, on the day we made the agreement when sent for, I saw, perhaps, twenty or thirty men at different times—two and three and four, perhaps half a dozen, together sometimes, going around the streets, armed; some of them armed with a revolver on each side. These are the men that the sheriff, Mr. Ross, referred to. He said they were so numerous he could not do anything,

was helpless, and did not want people to depend on him for protection when he could not give it.

Q. Were those persons you saw armed in this manner white men?—A. Yes, sir; a good many of Yazoo County. There had been some disturbance there in that county. A great controversy over there. I held court over there a while and then came back.

Q. How long before the election?—A. I think on the Tuesday before the election; certainly one week before the election.

NO COMPROMISE WOULD HAVE BEEN MADE IF A FAIR ELECTION HAD BEEN POSSIBLE.

Q. Would those terms have been entered into at all if there had been any reasonable ground to suppose that the election would be conducted fairly?—A. No, sir; they would never have been entered into but for the fact that we were all of the opinion that we could not have a fair election.

THE NEGROES ALARMED.

Q. Was it for the purpose of escaping what you supposed to be impending violence which would result from the election if it were conducted by each party without this compromise?—A. I cannot answer that question better than to tell you what I really understood the programme to be, from all that I knew. I do not think the intention was to injure me or the sheriff of our county. I do not think we would have been harmed any more than one of you would have been, or any other leading man. The idea was to scare and intimidate men. The negroes were scared. They would come to my house at 11 o'clock at night and ask what to do. "Certain men had come by my house; come there and shot off their guns, and I don't know when they will come back again; where shall I go? What shall I do?" I did not know what to advise the men. Did not know who they were, and the negroes were all scared there, very cowardly, and they were scared easily; scared, and would not fight much better than a drove of sheep, even if they had guns, and they hadn't guns. Some would fight. I could pick out a hundred men that would fight as well as white men; but all the rest would not fight better than—they are a set of cowards.

Q. There were negroes who did not wish to vote this compromise ticket?—A. Yes, sir.

NEGROES DO NOT VOTE.

Q. And did not vote at all?—A. Yes, sir.

Q. Do you know whether it was under the influence of terror that they refrained from voting at all?—A. I do not know. They may have failed to vote on account of not liking the ticket; a good many failed to vote on that account, I think; a good many others because they didn't like to go there.

Q. They could have voted if there had been no———A. Yes; they could have gone that day and voted any ticket; could have voted the straight republican ticket; but they did not do it, and I advised them not to do it.

WITNESS THINKS THE COMPROMISE THE BEST THING.

Q. Why did you advise them not to do it?—A. I had been into this compromise with the democrats, and I had to stand to it. I was in favor of it. It was on my motion that the compromise was made, though I was not the mover in it. That was the programme. I did not know anything about it when I went there, but I understood the statements of the sheriff, and knew all about it; had been sheriff of the

county. I knew and believed, and know yet, that it was best to make that compromise—the best thing to save the lives of a great many colored men of that county. I went into the compromise, and I have a great many good friends, and as good as in any other place in the world, there; and I pledged myself privately and in that public way by moving in favor of this thing that I was in favor of the compromise, and I carried it out in good faith. I advised the negroes to vote the compromise ticket and not the straight ticket, because I thought it best for me and for everybody to do that, and I tried to get them to do it—made them do it whenever I could. I carried it out in good faith. I voted myself the compromise ticket, and advised everybody else to do so.

WHY WITNESS FAVORED THE COMPROMISE.

Q. And the reasons why you did so you have already stated?—A. Yes, sir; the reason I did so was because I did make this compromise, although a republican, and I had gone into the compromise, and I carried it out because I agreed to.

Q. And you went into it for the purpose of averting what you supposed at the time would result, if you did not go into it?—A. I thought there would be trouble or bloodshed on the day of election and the day before the election.

Q. You went in for this compromise as far as you were concerned, and carried it out as you have stated, and you participated as United States commissioner on the day of election?—A. Yes, sir.

ACTION OF WITNESS TOWARD NEGROES VOTING STRAIGHT REPUBLICAN TICKET.

Q. Was there anything occurred in the room and in your presence in regard to the election at that time at all connected with this compromise, or affecting it in any way, in substance?—A. A white man—Dr. Holland—came to me when I was at my place at the polls and said certain parties were circulating the straight republican ticket; they were being circulated there. He asked me if that was not a violation of the compromise. I told him so far as I was concerned I did not want them circulated; I agreed to carry out the compromise, and would go and tell them not to do it. I went and told the negroes I did not want them to vote that ticket; I had agreed to carry out the compromise, and wanted them to do it, and did not want them to vote the straight republican ticket, and I advised them not to do it, and I took the tickets from them; they gave them up to me—I do not mean to say I took them from them; they gave me the tickets, and I took them and stuck—tore them up—tore them up themselves, perhaps. I advised them to carry out the compromise, because I had agreed to do it and did not want any flinching about the thing.

Q. Did he say anything to the negroes about it?—A. No, sir; he called on me. The negroes would not mind him.

Q. What did he say to you?—A. He appealed to me if that was carrying out the compromise, and I told him I did not think it was.

Q. Did he express any opinion as to what would be the result if not carried out?—A. I do not think that he did. I do not recollect that he did. It was unnecessary. I went out myself. Left the polls and went over where these tickets were, and told them I did not want them to vote it. I wanted the compromise carried out.

RESULT OF THE COMPROMISE.

Q. Did they elect the legislature on that ticket?—A. Well, Senator F. B. Pratt was elected, a northern man and republican. He was a part of the compromise ticket. We kept him on. Mr. J. B. Yellowby was

elected on the compromise ticket also, but as a democrat. We had two tickets, democratic and republican, and the two tickets we made one. Yellowby was nominated for the legislature on the democratic ticket and put on the compromise ticket. He was the regular nominee of the democratic party.

Q. How many members of the legislature did you have?—A. Three.

Q. Who were they?—A. E. A. Stebbins, a very good man; Yellowby is a good man, too.

Q. These are both democrats?—A. Yes, sir; and Pratt a republican. No; Pratt was elected to the senate. There were three members of the lower house. There was a black man by the name of David Jenkins, who was elected to the legislature; we had a full republican ticket; nominated a ticket for two of the members of the legislature. They were particularly desirous of getting the legislature, and we gave them two members of the legislature, and they allowed us to keep our senator and one member of the lower house; so that we elected from that county Yellowby and Stebbins, democrats, and Jenkins, a republican, who was a colored man. All very quiet and good men, too. Ross was elected sheriff. The southern people liked him. Everybody likes him. He is a republican straight out. He was a captain in the Federal Army all through the war. He is now the sheriff up there. He was the man who particularly advised this compromise.

WHITES DESTROY THE NEGROES' DRUMS.

Q. At any time prior to this compromise was there any destruction of drums that were in possession of the colored people?—A. At Louisville, six miles east of my place, there was a lot of colored men got together and had drums there, and all over the county we raised money to buy drums, we had drums. I helped to buy them in the canvass too. They had them around the county in different sections. These negroes had drums. They had clubs organized, and got a drum and met at night; I suppose because they had more time then, and white men came in on them and took the drums and cut them up and arrested the negroes for creating a nuisance by beating the drums, and taken before an officer who figured in politics and who fined them so much a head for making this nuisance in the neighborhood; so this nuisance was abated by cutting up the drums and fining the negroes. The fellows paid their fine and went home and were very good after that.

WHY THE COURT WAS ADJOURNED.

Q. You stated that you held court in Holmes a short time before the election, and the term was interrupted on account of political excitement there. I wish to know what the character of that was; will you state what was its character?—A. I was holding court there, and they had a political meeting every night at the court-house. They were spending their time in politics, and it necessarily interrupted the court. They had meetings very frequently, and the lawyers wanted to go, and it interfered with attending to their cases, nearly all the lawyers. Two of the members of the bar were candidates, one for district attorney and one for senator. They wanted to go to these meetings, and they got up a petition and all signed it asking the court to be adjourned. They did not state any reason why the court should be adjourned, but asked me to adjourn court, and I did it; witnesses were away, and so on. This lawyer would want to be excused, and that one.

WARREN ORDERED TO LEAVE THE STATE.

There was a man by the name of Warren there, a northern man; had been speaker of the house for some time. He was ordered to leave;

things were unpleasant, a general unpleasantness. They had ordered Warren to leave the State, and a committee of three had waited on him. A man who was a candidate for clerk on the democratic ticket and two others waited on him—he was a candidate for the legislature, I believe—and notified him to leave the county in 24 hours. I got there a few minutes afterward. I asked him if he was going to leave, and he said no, he was going to stick it out. He did go and stay away for three or four days, and came back during the election and staid there until the election; and the day of that election he and two or three leading republicans got horses and went out, and never came back since, I don't reckon. He had been levee commissioner and speaker of the house of representatives, a member of the constitutional convention; his name is Henry W. Warren. He was levee commissioner. That is a State office here, and relates more particularly to the swamp-districts of the State. His office was here at Jackson. He held it until this winter. It is abolished, perhaps, now.

WITNESS ASKED TO ADVISE WARREN TO GO.

Q. For what was he ordered to leave? That was his home, was it not?—A. Yes, sir; he lived in Leake County, and went over there. It seemed as though they disliked him there. One of the oldest members of the bar, I believe the oldest member of the bar, came to me and said he understood that Warren was ordered to leave; was sorry, but he told me I had better advise Warren to go. I went to Warren and saw him about it. He said he was not going to go. He would die fighting; die there if he had to. His testimony is better than mine about any of these things.

Q. By whom was this committee authorized to warn him to leave?—A. I do not know.

NAMES OF MEN WHO WARNED WARREN TO LEAVE.

Q. Who were they?—A. I know two of them; one was named John Alexander, the other Langston; another was a man by the name of Ashcraft, a clerk of the court, of the circuit court of Holmes County. If you will summon him he can tell you who were the other members of the committee.

Q. What were Warren's politics?—A. He was a republican.

Q. Known in the State generally?—A. Yes, well known as such. Has been a very public man. He was judge of the probate court of Leake County a while.

WARREN ORDERED TO LEAVE FOR POLITICAL REASONS.

Q. Was it understood that it was for political reasons he was ordered away?—A. Yes. I do not know that they assigned any reason. I think they said to him he had been making some speeches and circulating circulars among the negroes; among the republicans, the republicans being nearly all negroes. They told him that he had "circulated his damned lies long enough, and they would give him 24 hours to get out." That was about what took place at the interview.

THE ELECTION TO BE CARRIED AT ALL HAZARDS.

Q. Coming back to your own county; had there been any publications in the public press there in reference to the course that would be pursued in that political campaign toward the republicans?—A. They published in their resolutions at the democratic meeting at Canton—I could get the paper, I think, by going to the files of the Canton papers—they published in one the democratic resolutions that the election should be carried at all hazards; that was the language; the language

of the resolutions, and the editorials of this paper, which was the organ of the party, the accredited organ of that party—they published articles of this kind; I cannot give the language, but the idea was that they had cleaned out the rads in Yazoo, and a few ropes, it was advised, would work well in this county if tried on some of us. They cracked their jokes in that style.

Q. Did you hear any utterances by democratic speakers of that kind?—A. No, sir; I did not attend a democratic meeting. Yes, I did; it was in Yazoo County. That was before the election.

YAZOO COUNTY TO BE CARRIED AT ALL HAZARDS.

Q. Did you hear any declarations by prominent democrats in regard to it?—A. I heard one leading democrat say that they "intended to carry this election at all hazards." I said, "What do you mean by that; at all hazards?" He said, "I mean what I say." I said, "Do you mean to say that you will kill people if necessary?" He said, "I repeat it, we are going to carry it, and will do it;" and they did it. That was Col. O. R. Singleton, now a member of the House of Representatives. He said to me, "The election was bound to be carried at all hazards." And he repeated it over in that way when I asked him to explain. He said he meant what he said.

WITNESS RECEIVES A ROPE WITH A NOOSE IN THE END.

Q. Did you receive yourself, through the mail, in any way, shortly before the election, I think, any rope or anything of the kind, indicating or suggesting that violence might be used in any way?—A. After I came from Holmes County—no, I was away on business somewhere, I don't recollect where it was now—but when I came home from Holmes County they had a great political excitement, and I was not going to hold the Yazoo court. I consulted with others. There was great excitement there, and I did not go to hold the court.

There is a certain set of democrats who had been friendly there, but they desired to make political capital of that thing. They passed resolutions requesting me to resign, and said I ought to be impeached, and sent a copy to the governor and a copy to me, and to every democratic paper, and requested them to publish these resolutions. I was glad of this last, as it was a record showing the political status of the thing.

When I came home my wife had a rope which she said she had got in a paper, and had opened it, as it seemed a coarse package, and found it was a rope. She had a rope and showed it to me. They had taken a New York Herald, and cut that part of the advertisement where situations are wanted, and they had rolled that up and marked some very appropriate ones, and they rolled it up with a rope and an anonymous note in it. They fixed it up in very nice style and suggestive as possible. It was about four feet long and a knot at the end of it. This was sent the next week. The paper in Yazoo came out and told all about it. They knew all about it, therefore, before, in Yazoo. I have the rope yet. I did not pay any attention to it. It was sent by mail. I don't think of anything else that I can state.

Cross-examined by Mr. BAYARD:

Q. In regard to this compromise ticket that you describe; was it a good ticket?—A. It was.

THE COMPROMISE TICKET A GOOD ONE.

Q. Fair, honest, and good men?—A. Yes, sir.

Q. You were satisfied to vote it?—A. Yes, sir; after I went into it.

Q. They were worthy representatives?—A. Yes, sir; good men, all of them.

PROPORTION OF RACES AND VOTERS.

Q. What was their majority?—A. I think it was eight hundred and something.

Q. What is the voting population of that county?—A. About four thousand.

Q. What were the proportions of the two parties?—A. Well, the democrats have, I think, about thirteen hundred, and, I think, the republicans, twenty-seven hundred.

Q. Two to one?—A. Yes, sir; about so.

Q. What proportion of the population is black?—A. About three-fourths black.

Q. About three to one black?—A. Yes, sir; counting women and children and all, I think. I am not definite about this.

Q. Are the negroes, in a bulk, republicans?—A. Yes, sir; all who vote. There are a few men who are not republicans among them; perhaps half a dozen.

PERSONAL RECORD.

Q. Where was your home before you settled there?—A. Newcastle, Pa.

Q. Were you in the Army—were you a United States soldier?—A. I was. I was a paymaster's clerk in the Federal Army; in the Army of the Cumberland during the whole war.

Q. You settled here immediately at the close of the war?—A. Yes, sir.

Q. In the same county where you now live?—A. Yes, sir.

Q. Have you found that you are taken fairly for what you are worth here?—A Yes, sir.

Q. Treated kindly and justly?—A. Yes, sir.

Q. Your services to the United States were known to the people here?—A. Yes, sir.

Q. All knew that you were a northern man?—A. Yes, sir; they call me a Yankee, and I said I was. I was rather a Pennsylvania Dutchman; still, as they call me a Yankee, I call myself one, because they did.

Q. Mr. Ross is a northern man also?—A. Yes.

Q. He was in the United States Army?—A. Yes; a captain in the One hundredth Pennsylvania Round-head Regiment.

Q. Is his condition like your own, one of comfort and happiness among the people?—A. Yes; in a business way.

Q. He was sheriff of the county?—A. Yes, sir; and a very popular man; very popular outside of politics. I have always been treated well by the southern people. I have no complaint to make against them.

WITNESS SAW NO VIOLENCE OR INTIMIDATION.

Q. Did you ever see, yourself, any act of violence or intimidation during the canvass of 1875?—A. No, sir; I was thinking over that, and I do not think I did see one act of positive violence during the whole canvass.

Q. To go further than an act of positive violence; did you witness an act of intimidation yourself during the canvass? If so, state it.—A. I do not believe I did.

SAW BUT SIX ARMED MEN AT ONE TIME.

Q. What were the number of armed men you ever saw together during the canvass; men who had arms conspicuously displayed?—A. About a half dozen in a crowd.

Q. They were men that you knew?—A. No, sir.

Q. Did not know them at all?—A. I may have known some, but did not pay attention to them.

Q. Can you give their names now?—A. No, sir; I do not suppose the parties I saw were residents of the county.

Q. The most you saw were six at a time?—A. Yes, sir.

Q. Did you see those six often?—A. No, sir; only the day when I went up to town.

Q. On that one occason?—A. Yes, sir.

Q. Does that occasion comprise the whole of your knowledge of the presence of armed men in that county?—A. I think it does.

Q. You spoke of what was the plan or the scheme of the democratic party in regard to the State. You have also stated that you were always a republican and voted the republican ticket?—A. Yes, sir.

NO POSITIVE KNOWLEDGE OF THE PLANS OF THE DEMOCRATIC PARTY.

Q. Have you any knowledge of the plans and inner working of the democratic party, or means of knowledge?—A. No, sir.

Q. When you state that that was their intent, did you give it as a mere matter of speculation in your own mind—was this a speculation of your own, or have you knowledge that justifies you in saying that was the fact, or was it only your supposition?—A. Nothing but a well-founded suspicion. That is all I can say for it. I had conversations with all my political friends, and my political friends had conversations with some good democrats who are good men, as good men as I ever expect to be—personal friends of mine, and of my political friends. They came to me and told certain things in confidence which I cannot repeat; but these things led me to take in the whole situation, and I think I know it pretty well. It is a difficult matter for me to tell you how I know what they were going to do, but I know pretty well.

Q. I must say, sir, that I think, in a case of that kind, the facts should be given.—A. I do not know anything but that which was a well-grounded suspicion.

Q. Is that the most that you can say in regard to the statement?—A. Yes; that is what I wish to put on record. It is a well-grounded suspicion on the part of the republicans of the county; and after the matter had been fully canvassed, and after consultation among them, and a great many, and the whole ground was gone over, and that was fully understood.

Q. Then you would not state it as a matter of fact?—A. I am not able to do so, but from all my experience and knowledge of the circumstances.

Q. You do not undertake to allege it as a fact?—A. No, sir; for it did not occur, and I do not know whether it would have occurred or not.

O. S. LEE AND HIS EMBEZZLEMENT.

Q. You were asked something about Holmes County. Do you know a Mr. O. S. Lee, of that county?—A. Yes, sir.

Q. Of what party was he a leader?—A. Of the republican.

Q. Did he commit any great public crime in the way of stealing public money and decamping with it?—A. Yes. I will tell you, if you want me to, the history of that matter. Lee was a leading republican and a northern man, one of those sort of wild, zigzag fellows, who was not very reliable; a good friend, but a bad enemy. He was a courageous man, as brave as a lion, and led the republican party. The southern people did not shoot at him much, as he was good on the trigger himself. He was a leader for a long while.

The republican party had a split, and Warren was the leader of one faction, and Lee of another. They got into trouble up there, and it is said they shot and killed two negroes who belonged to the Warren republican wing. When these were killed, it seems that Lee got demoralized. He was deputy treasurer. There was a treasurer who made Lee his deputy; he made the treasurer's bond. He got the money a few days after the treasurer's time was out. Lee got to be deputy treasurer. Captain Baker, who was a southern man, was acting sheriff, and he collected the money and paid it over to Lee. It was county money, and I think about $60,000. It seems from the returns published it was $38,000, but I think he had $60,000. He had that money and warrants paid over to him. Lee took this money, and he had a good deal of trouble with the board of supervisors of the county. Lee told them that they had some $3,000. He was said to be a defaulter to the tune of some two or three thousand dollars. He said if they would release him of the charges he would pay them the money, but they would not do it. He went to Vicksburgh, and made them another proposition, but they would not come to terms. One of the democrats came to me and told me, and I told them that the best thing was to accept of Lee's terms, but they did not do it; and the next thing we knew was, that Lee was gone, and he took it away.

LEE AN AID TO GOVERNOR AMES.

Q. Was not Lee an aid-de-camp to Governor Ames?—A. Yes, I think so.

Q. When did he cease to be one of his aids?—A. I do not know.

Q. Do you know whether he was his private secretary for some time?—A. I do not think he was.

Q. Do you know whether he resided with Ames's household here?—A. I do not know; I cannot tell you about it. He was here in Jackson a great deal, and he and Ames had some difficulties and many ups and downs. It may be that he did, a good while before this thing was out.

LEE APPOINTED LAND-COMMISSIONER.

Q. Did Ames appoint him to any office?—A. Yes; one of the land-commissioners of the State. There was a sort of Pearl River Navigation Company gotten up here, and I think Lee was the commissioner of those lands, to sell them; and he sold them.

Q. What became of the money?—A. I do not know; I was not there.

Q. As a matter of public fact?—A. That money was lost; I do not know anything about it.

Q. Who got it?—A. It was lost to the State.

Q. Who swindled the State out of it?—A. I do not know.

Q. Was this man Warren in any way connected with it?—A. No, sir; no more than I was. A man by the name of A. Warner, of Madison County, a lawyer, you may mean.

STATE SENATOR WARNER IMPLICATED.

Q. Was he mixed up in that thing?—A. Yes; Warner was senator, and the charge of the democratic party was that Warner got this bill through the senate, and Lee was appointed by Ames commissioner, and they sold the land and got the money. Sold to a man by the name of Baldwin, of Chicago, and they say they got the money and spent it.

Q. You say the democratic party made this charge. I ask if this is not a public and notorious fact, no matter by whom the charge is made?—A. I think it is, though I would not like to say so; but I know those lands were sold. A man by the name of Vose figured largely. He figured in this thing, and he and Lee and Warner and French figured in it, but I do not know who got the money; it was lost to the State.

Q. You say about $60,000 disappeared from the treasury of the county?—A. I understand so. This man Baldwin came down with these warrants. Baldwin came back, and after a while went away and brought the warrants, and he did not know it, but he came pretty near being killed up there.

Q. On account of this swindle?—A. Yes.

LEE MURDERS TWO NEGROES.

Q. Let me ask you another thing about the difficulty that occurred between the members of the republican executive committee in the court house of Holmes County, where Lee was present, and in which he was alleged to have shot two colored men. Is that true, that he shot them in the court-house in that mêlée?—A. I think so. He was bound over to appear in court; and about the time of the adjournment things got in such shape the foreman came and said that he could not get witnesses, and desired to be excused from acting as foreman.

Q. Where did these colored men live?—A. In Lexington—near Lexington.

Q. Were they members of the executive committee?—A. One was, I think; a man named Hill was a candidate for some office; a leading man.

Q. Both were known men?—A. The other man, Bradley, not much known.

Q. Still, residents of the county and members of the executive committee?—A. I do not think Bradley was; was a private citizen. He did not intend to kill Bradley.

LEE NEVER INDICTED FOR MURDER.

Q. This man was never indicted?—A. No, sir.

Q. Yet the facts were notorious?—A. Yes; and I don't think he ever will be.

Q. At the time of the killing, were any democrats present at all?—A. I do not believe there were.

Q. In the court-house?—A. Yes; they had a meeting in the court-house, in the circuit clerk's office. This happened: A man by the name of Holmes was there. Hill was discussing the Warren wing. This man Hill was a pretty loud-mouthed fellow, and said something to a man by the name of Mills. They were friends of Lee. They got up a split in the republican party, and these men were in there and wanted Hill to take back what he had said, and he declined; and they went to shooting, and they killed Hill. I have talked with them about it, and talked with the democrats, and heard the story all round, and the understanding is that the other colored man was killed by accident.

Q. Where is Warren now?—A. At Cincinnati.

Q. Has he left the State?—A. No, sir; he went there to attend the republican convention.

WARREN DID NOT LEAVE THE STATE.

By the CHAIRMAN:

Q. He was ordered away?—A. He never left the State. He left the county. He came down to Jackson. He was levee commissioner and came to Jackson and returned here. He has always staid here.

By Mr. BAYARD:

Q. How was he elected to the convention?—A. I may have been mistaken about his being elected. Yes; we had a republican convention I helped to do it.

Q. He went from one of the districts, or at large?—A. No, sir; from the fourth district.

WARREN A GOOD KIND OF A MAN.

By Mr. McMILLAN:

Q. His being ordered away by the committee did not deprive him of his citizenship?—A. No, sir; he went from here to Jackson; he had a State office, and claimed citizenship in that county. He is a very good kind of a man.

WHY LEE WAS NOT INDICTED.

By the CHAIRMAN:

Q. You commenced a statement in regard to the grand jury—why they did not indict Lee. You did not finish it.—A. I held court about a week just before the election. The election came, I think, the last week of my court; I had three or four weeks of court; I held court one week, and Friday the grand jury came in, and the foreman said that there was such a state of affairs around them they could not do any good, and wanted me, if I would, to discharge him from the grand jury. He wanted me to excuse him from acting as foreman. I thought he was the best man I had for foreman, and in connection with that I told him to go back, and I would take the matter under advice, and would let him know in a little while.

While this matter was going on, after I sent them out, the bar presented to me, in writing, a petition signed by every member of the bar, requesting me to adjourn the court that evening, pleading that they could do no good.

I sent for the foreman, and asked what they had done in the Mills case, and he said they had not done anything with it. I told them I wanted them to do something with it, and make some written report concerning the case, so I would have some record. They went back and made a written report that they had not time and could not get the witnesses, and had not time to examine into the case, and wanted to be excused; had not investigated the case, and could not, and wanted to be discharged, and the case referred to the next grand jury. They said that in writing, which I ordered to be filed; and upon that I discharged the grand jury, all the members of the bar concurring. You understand, that if the members of the bar desire an adjournment, it is unpleasant to hold court. The bar asked me to adjourn the court, and I did so after receiving the report of the grand jury about the Lee and Mills cases. The attorney for the parties moved to discharge the case because an indictment was not found, but I overruled, and the next term has not come yet. I do not think I have held court since. O, yes; the week before the court met, the legislature here at Jackson, which had been republican and was democratic this last winter, passed an act providing—the idea was that the judges should be legislated out of office. I was just ready to go there; had written that I was coming to hold court, and they passed the act changing the districts in the State; changed all the districts in the State; there were fifteen; they made ten new, and they put Holmes County in the northern district, and put the balance of my district in the district down this way. This county below is in the same district. So I had no district. I was a judge without a district. That took place three days before the court was to commence.

There was no 14th district, so the court was not held, and they were not indicted. Then they proceeded and passed an act which should continue the old court as if the act had not been passed. It was not passed until after my four days had expired, and I would not hold it.

R. J. ROSS—MADISON COUNTY.

PROPORTION OF RACES IN MADISON COUNTY.

JACKSON, MISS., *June* 15, 1876.

R. J. ROSS sworn and examined.

PERSONAL STATEMENT.

By Mr. MCMILLAN:

Question. State your full name.—Answer. R. J. Ross.

Q. Where do you reside?—A. In Madison County, Mississippi, in the city of Canton.

Q. How long have you resided there?—A. Since November, 1865.

Q. Have you occupied any official station in that county?—A. I have.

Q. State what it has been and how long you have been there.—A. I am now sheriff of the county, and have been since December, 1869, or about that.

TWO BLACK VOTES TO ONE WHITE VOTE.

Q. Are you familiar with the organization of the political parties in that county, in reference to the color of the persons composing the respective parties? and, if so, state what your knowledge of the proportions of the different races is in each party as nearly as you can.—A. We have in the county, I think, a voting population of about 4,500; about 3,000 colored, and 1,500 white, very nearly. I think it would not vary much from that.

BUT FEW DEMOCRATS AMONG THE NEGROES.

Q. What proportion of the colored population comprises the republican party?—A. Nearly all. A few democrats, but very few among them.

WHITES NEARLY ALL DEMOCRATS.

Q. What is the proportion of whites composing the democratic party?—A. They are very nearly all democrats.

Q. Of about what proportion are the whites in the republican party?—A. Not over twenty white republicans in the county, I think.

Q. Were you there during the summer and fall of 1875, and during the election which took place in November?—A. I was.

A PEACEABLE ELECTION.

Q. Do you know any circumstances transpiring during that campaign in respect to any indication of force or intimidation which would go to affect the election in any way in that county?—A. In that county we had a very peaceable election; as peaceable as I ever saw in the world, on the day of the election. The state of affairs was pretty bad before we compromised between the two parties, the week preceding the week in which the election took place.

AN INTENSE FEELING BEFORE THE COMPROMISE.

Q. Prior to that compromise, what was the condition of affairs, as near as you can state, and what led to the compromise? State all the facts, as fully as you can, relating to that subject.—A. The feeling between the political parties had gotten to be very intense, and the excitement ran very high—so high that the opinion of the prominent men on both sides seemed to be that it would be exceedingly doubtful if we could have a

peaceable election, if something was not done to restore a better feeling in the community.

RUMORED ALARMING STATE OF AFFAIRS IN YAZOO COUNTY.

Q. Were there persons in your city, prior to the compromise—any persons from outside of that county?—A. Reported to be; it was rumored—I have no personal knowledge of the fact—it was rumored that men from Yazoo County were constantly crossing the Big Black River, which is the dividing-line between Madison and Yazoo; it was rumored that those men were constantly crossing the river and stirring up excitement and feeling among the white people, and I think it very doubtful if that state of feeling would have existed if they had staid at home and attended to their business. Prior to that the condition of affairs in Yazoo County seemed to be alarming, if reports are true ones from there.

Q. Was that the general knowledge of the public in regard to that state of affairs?—A. Yes, sir; it seemed to be.

Q. Did you see any persons, any strangers, in your city there who were not residents, of course prior to that time, that is, since November?—A. O, yes, sir; I saw strangers every day of every week, but I could not say where from. I have no acquaintance personally with any one in Yazoo County at all.

Q. Were these persons armed?—A. I cannot say, as I saw no arms on them. They were reported to have been armed with concealed weapons, but nothing in the shape of guns that they carried.

FACTS RELATING TO THE COMPROMISE.

Q. Will you state, colonel, the facts relating to the compromise between the parties and the circumstances attending it, and what its result was as fully as you know the facts?—A. Well, as I said, the feeling had been pretty intense between the two political parties. The excitement ran very high, and threats were said to have been uttered about carrying the election by the opposite, the democratic, party, and it appeared as though the worst element in the community was getting in the ascendency.

FIRST BROACHED BY A COMMITTEE OF YOUNG MEN.

The compromise was first broached in my office by a committee calling on me on the Monday morning preceding the week in which the election took place. The election was on the second Tuesday in November, and Monday, the week previous, there was a committee of young men came to my office and said that they understood that a remark had been made by Judge Breck, a prominent republican, that a compromise could possibly be effected between the two parties that would give us a quiet election, and if such a thing could be done that we would like very much to accomplish it. The feeling of the better class of people, they stated, was that they would like to have some arrangement made by which the election would be quietly conducted and save any trouble. I told them that was the first that I had heard of it. They wanted to know if Judge Breck was authorized to make any compromise. I told them I did not know, as I was not a member of the executive committee of the county; that I knew nothing about his being authorized to effect any compromise, but I referred them to the chairman of the executive committee.

A COMEITTEE OF OLDER CITIZENS CALL.

Immediately after that committee left the office, this committee of young men, another committee of older citizens waited on me. They came, I think, [illegible] others were leaving, perhaps, but I cannot

state as to that. They said that they presumed these gentlemen who had just gone had been to see me on the same business that they came on. And they asked me if there was any possibility of a compromise being effected. I said it was the first that I had heard on the subject, and had to refer them to the chairman of the executive committee of the county. They were men for whom I had a high regard. One of them is now on the supreme bench of the State, Judge Campbell. We talked a short time, and I remarked that if anything could be done I thought it would be judicious all around, and it might be better for all of us.

A GENERAL CONFERENCE IS HELD.

Q. State the tenor of the conversation.—A. The tenor of the whole conversation was that the community was in that excited condition that anything might occur possibly; that there was danger of bloodshed on the slightest provocation; and they wanted, if they could, to effect a compromise. I think they stated that Judge Breck had said that the republicans would probably divide the legislative ticket and the board of supervisors—make a division of the members of the legislature and the board of supervisors. I told them that I was not authorized to treat with them at all, but it struck me favorably, and it might be well to discuss it further, and I would call from the court-house door the chairman of the executive committee, with some other leading republi-[illegible] in town, and we would have a consultation. I did go to the door [illegible]lled Mr. Smith, the chairman of the committee, and Mr. Pratt, [illegible]me others, who I do not now remember, and at the same time [illegible] back these young men who had waited on me first in the morning, [illegible] we had quite a conversation, the whole tenor of which was on the excited condition of the county. We thought it would be better for all of us if something could be done to avert bloodshed, or even the possibility of its occurring. And the result was that they retired to confer with the executive committee, I think; I will not be positive about that, but it strikes me that was the understanding. Their committee meeting was that day.

THE TERMS OF COMPROMISE.

They did retire and in the evening of that day we were waited on by a committee from the executive committee of the democratic party with a proposal for compromise. That proposal was that we should give them two members of the legislature, two members of the board of supervisors, and that both candidates for sheriff, the democratic and the republican nominees, should be withdrawn, and I should be placed at the head of the ticket as sheriff; I was brought into it as an afterthought. In the morning there were no conversations about the sheriff; he had not been mentioned at all. They submitted that as their proposition. It being an informal meeting on our part, the chairman of the republican executive committee called a meeting of our committee on the following Wednesday, and this proposition was submitted to our committee by them; and after some discussion they finally concluded it was, probably, the best that could be done, and accepted it. That was the way it was effected, and those were the terms of the compromise.

TERMS RESTATED.

By Mr. McDONALD:

Q. State the compromise again as to the candidates and as to the officers.—A. We were to give two members of the legislature, of the lower house. That county is entitled to three members to the lower house, and one senator. We gave them two members to the house, and retained the senator and one member of the lower house.

By Mr. McMILLAN:

Q. You gave them two members of the board of supervisors. How many members did the board of supervisors consist of?—A. Five. We had the majority, and we retained a majority in the board of supervisors, and divided the legislative delegation with them, and my name was substituted on the republican ticket for sheriff in the place of Captain Kee, the regular nominee.

Q. The balance of the ticket was republican?—A. Yes, sir; all the way through—no, sir; there was one other arrangement. The cotton-weigher, I do not distinctly recollect. The real compromise was the two members of the legislature and some members of the board of supervisors, and the substitution of myself for the regular nominee for sheriff

A REGULAR REPUBLICAN TICKET HAD BEEN NOMINATED.

Q. Had there been a ticket nominated by the republican party before that time?—A. O, yes, sir; some two months before.

Q. And one by the democratic party?—A. Yes, sir; three months before.

Q. It was a contest between the two tickets which brought about the state of excitement of which you speak? Had you declined to run for sheriff on the republican platform?—A. Yes, sir.

Q. You did not wish to hold the office?—A. I had absolutely declined to run. I should state, in justice to all parties, when it became known that I had declined to accept the nomination of that office, the leading democrats came to me—this was before the nomination some time—and stated they would make no nomination against me if I would accept the office. Several citizens waited on me.

Q. You did not accept willingly the position on the ticket afterward?—A. I accepted it because it was, probably, the only way the compromise could be effected finally, and not because I wanted it.

COMPROMISE ADOPTED TO ALLAY EXCITEMENT.

Q. Will you state what the danger apprehended was, as expressed by the democrats and as felt by the republicans in regard to any bloodshed or disturbance; where the attack was to come from, and what was to be the character of it?—A. It was a feeling it would be difficult to give adequate expression to. There were probably few, if any, actual outrages committed in our county. We have generally been a very peaceable county, a very good class of citizens. I will also state that that compromise was entered into because we believed the better class of citizens of the county were supporting it. The younger and wilder elements had rather got the ascendency. The danger was simply this: the excitement had gotten to an intense pitch, and any little act, any little occurrence, might lead to bloodshed. I would not state that the election could not have been held without blood being spilt; but the community was in that excited condition that anything might have led to a riot or disturbance. They were occurring throughout the State everywhere, and, of course, the excitement was contagious.

NO TROUBLE FROM THE NEGROES.

Q. Will you state whether the attack was apprehended from whites or blacks?—A. If there had been any trouble, there would have been no trouble from the colored people.

TROUBLE WOULD COME FROM THE DEMOCRATIC PARTY NECESSARILY.

Q. Where would it come from?—A. From the democratic party, necessarily.

Q. Was that apprehended by both parties?—A. I think so. It was by us. I think that was felt to be so.

REPUBLICANS FELT THIS DEEPLY.

Q. Was that feeling deeply impressed upon the republicans of that county?—A. Very deeply; otherwise, that compromise would not have been entered into.

Q. What was the republican majority there?—A. I think at least 1,800.

Q. It was from the apprehension of danger of attack on them in that way, that the republicans were induced to give up a portion of their ticket and concede to the democrats the candidates you have mentioned?—A. Yes, sir; we thought it better to do that than to go ahead and probably sacrifice the lives of some valuable men on both sides. I will state that prominent citizens, however, made tender of their services that they would do all they could and before the election, but that they could not assure me that they could make the rougher element of their party behave themselves, but they made tender of their services to do what they could. I say this in justice to both parties.

Q. Who were the two persons nominated for the legislature?—A. Mr. Yellowly and Mr. Stebbins.

Q. Were they elected?—A. Yes, sir.

Q. Are they members of the present house?—A. Yes, sir; the compromise ticket was elected.

By the CHAIRMAN:

Q. The young men who came to you first and suggested that proposition of compromise, as you understood their character and standing, it was representing the better class of their party?—A. Yes, sir; the better class of the young men.

Q. They did not represent what you term the wild portion?—A. No, sir.

PERSONAL RECORD.

By Mr. BAYARD:

Q. Mr. Ross, I understand that you were elected in 1869, and have been steadily re-elected to that office?—A. I was appointed in '69. Our first election to the county office occurred in 1871.

Q. Who appointed you as sheriff?—A. I was appointed just about the time the military governor of the State went out and General Alcorn went in; first by Ames in December, and by Alcorn probably in January, immediately after.

Q. Then when the election came around you were chosen by the popular vote and have been re-elected steadily?—A. Yes, sir; I was chosen sheriff in '71 by the popular vote, and had an opponent that year. In the succeeding election, in 1873, I had no opponent.

Q. None at all?—A. I had none, I think.

Q. You were voted for by both parties in the year 1873?—A. In 1873 we did not put up a county ticket. That was the way. They ran the ticket for the legislature, and possibly the board of supervisors, but did not put up a ticket for county officers.

Q. But voted for you?—A. Yes, sir; I had the vote of the entire county ticket, the county officers.

Q. In 1875 you were voted for as you have stated?—A. Yes, sir.

Q. You have lived then in that same county since 1865?—A. Yes, sir.

Q. Prior to this, what was your occupation?—A. Planting.

Q. You still continue that same occupation?—A. No, sir; I have sold out my plantation.

Q. Where was your home before you came to Mississippi?—A. Pittsburgh, Pa.

Q. Were you in the United States Army?—A. Yes, sir.

Q. What was your rank?—A. Captain.

WITNESS ALWAYS RESPECTFULLY TREATED.

Q. Have you found yourself kindly and respectfully treated among these people in this county?—A. Yes, sir; always.

Q. Have you found your home happy and contented here?—A. Yes, sir. That is a sweeping question which would require another answer than that. Personally I have every reason to feel grateful to the people of that county, for I have been treated with the greatest respect. There is, you probably understand, a strong social feeling between the political parties here. I do not know that it would have affected my family if I had desired to go much into society. My wife is a southern woman, a native of Jackson, this place.

NO PERSONAL KNOWLEDGE OF AFFAIRS IN YAZOO COUNTY.

Q. I understand you to say that you had no personal knowledge of the affairs of Yazoo County?—A. None whatever. I have never been in that county in my life.

Q. When you were asked by the member of the committee who examined you whether or no armed men were not coming across from Yazoo, you stated you had no personal knowledge, but had heard such a rumor?—A. Such was the rumor.

Q. Nothing more than that?—A. I have no personal knowledge of it. If I had seen them I would not have known them.

Q. You were asked whether you saw strangers in the county, and you said that you did?—A. I saw strangers every week.

Q. Did you ever live in a town that you did not see strangers occasionally?—A. No, sir; I did not.

Q. You have stated that the feeling of excitement between the political parties grew as the election approached?—A. Yes, sir.

Q. Did you feel that because of this excitement the condition of affairs became precarious?—A. That was the feeling.

Q. And under this excitement you did not know when the outbreak might occur from some cause, slight in itself?—A. Disturbances did occur for the most trifling causes all over the State, and we did not know what might occur.

NO DISTURBANCES IN MADISON COUNTY.

Q. Was there any disturbances in your county?—A. No, sir; none whatever.

Q. Did you yourself witness any act of violence attending the election of 1875 or the canvass?—A. No, sir.

Q. You were sheriff of the county?—A. Yes, sir.

Q. If you know of any, you can state it.—A. Not of my own knowledge.

Q. You are sheriff of the county and custodian of the peace in that respect?—A. Yes, sir. There was no trouble at the election. Throughout the election it was quiet and peaceable as anywhere.

Q. Good feeling prevailed?—A. Yes, sir.

Q. Good temper prevailed, and it was orderly?—A. Yes, sir.

E. S. JEFFREY—MADISON COUNTY.

ABOUT VIOLENCE AND INTIMIDATION IN MADISON COUNTY.

JACKSON, MISS., *June* 15, 1876.

E. S. JEFFREY sworn and examined.

PERSONAL STATEMENT.

By Mr. MCMILLAN:

Q. Where do you reside?—A. In Canton, Madison County.

Q. How long have you lived there?—A. I have resided there since October, 1868.

Q. What has been your occupation?—A. I am now chancellor clerk. When I first came to the county I was occupied in merchandising.

Q. How long have you been chancellor clerk?—A. I was appointed probate clerk in September, 1869. I qualified on the 5th day of October, 1869, and when that court was merged in chancery, in 1870, I was reappointed by Governor Alcorn as chancellor clerk. I have been reelected three times since.

Q. You reside in the same city with Colonel Ross, who has just testified?—A. Yes, sir.

Q. Were you in Canton during the summer and fall of 1875, prior to the time of the election of that year?—A. Yes, sir.

Q. Will you state all the circumstances you know in regard to any evidence of violence or intimidation which transpired during that campaign? State your knowledge upon the subject.—A. The feeling was very intense between the parties. I know of no personal violence being used against any man.

ARMED YOUNG MEN FROM YAZOO COUNTY IN CANTON.

Q. You know of any evidence of any person being armed present in Canton, and whether citizens were present from abroad there?—Yes, sir; a good many citizens always went on. A good many persons from the other counties would come there—from Yazoo County. A number of young men would be over, probably, every week from Yazoo County for some time before the election took place.

ONE ARMED COMPANY THAT DRILLED REGULARLY.

Q. Were they armed, and what was their conduct and conversation?—A. They merely carried revolvers. That was a very common thing, not only during the election, but at different times in this State. There was one company organized and armed, and supposed to be for political purposes, but I don't know the object of the organization. They are still organized, and drill every Wednesday night in the county.

Q. Did they do so during that summer?—A. Yes, sir; they organized, I think, in August, 1875, and have been drilling ever since.

ALL WHITE MEN AND DEMOCRATS.

Q. Were they white men?—A. Yes, sir; all white men.

Q. To what party did they belong?—A. To the democratic party.

Q. Did they parade or drill during that time?—A. Only once; that was on their decoration day.

Q. Did they drill during that summer?—A. They drilled in the hall there every Wednesday night.

APPREHENSIONS BY BOTH PARTIES.

Q. What was the state of feeling, in reference to the excitement in the

public mind, as to the apprehension of any danger or violence at that time?—A. Apprehension by both parties; we were afraid it would culminate in a fight between the two races. They got up several rumors that the colored people were marching on the town. One night all the citizens there turned out armed to protect the town, but it proved to be a canard. There was no one marching on the town.

Q. Did the two parties nominate their tickets?—A. Yes, sir; the democrats nominated first, before the republican party nominated their ticket.

CAUSE OF THE COMPROMISE.

Q. Did these tickets continue in the field until the election-day?—A. No, sir; about a week before the election there was a compromise effected at the suggestion of some leading democrats, who thought that, as they expressed it, "they could not keep the young men down," and that they thought it best to have a compromise effected to have a good feeling existing between both parties during the election.

Q. What kind of trouble did they apprehend?—A. Some of them said that bloodshed could not be avoided.

Q. Was that feeling pretty general throughout the country?—A. Yes, sir; of gentlemen on both sides, I think. I know a good many leading democrats spoke to me on the subject.

Q. And it was under that state of feeling that that compromise was brought about?—A. Yes, sir.

HOW COMPROMISE WAS FIRST PROPOSED.

Q. Will you state the circumstances, the facts attending that compromise, and what it resulted in?—A. I believe the first approach that was made was by Mr. Singleton, son of Congressman Singleton. He approached me in the chancery court in October, and asked me if a compromise could not be effected.

Q. He is a democrat?—A. Yes, sir. I told him he would have to go to some one else, that I was opposed to compromising, but Chancellor Breck at that time passed by where we were talking, and he turned to the chancellor, spoke to him, and the chancellor said it might have a good effect. He was chancellor at that time of the thirteenth chancery district in the State, and the subject was dropped there until about a week before the election, when Mr. Powell, who was then chairman of the democratic executive committee of the county, and Mr. Singleton and Mr. Yeandle came over to the court-house, and Sheriff Ross, and commenced a conversation, and Captain Ross afterward came into my office and stated that they had made an overture, but yet said that they were not authorized by the democratic party to do so, but that later in the day they had a meeting of the democratic executive committee—I think it was a committee of five from the democratic club of the county—and they were talking to different members of the republican executive committee in reference to effecting a compromise to save any trouble. I was not a member of the republican executive committee, and so I did not hear their conversation, but after they had talked among these republicans in the county, and most of them were up in Canton at that time, at least those that had been nominated on the republican ticket, and they agreed to compromise there.

TERMS OF THE COMPROMISE.

They were to have two members of the lower house and two supervisors and a justice of the peace in each district in the county, and the republican county ticket was to be changed, and they were to have a cotton-weigher. Our party did not nominate a surveyor. And then the sheriff who was nominated on the ticket was to be withdrawn and

Captain Ross substituted in his place. He was acceptable to both parties. I was called in to act as scribe to the two parties and draughted the terms of the compromise, which was signed by the executive committees of both parties.

DEMOCRATS AGREE TO SEE PEACE AND ORDER AT THE POLLS.

Q. Have you stated fully the terms of the compromise as reduced to writing by you? Were there any other conditions?—A. The condition that the democratic party pledged themselves to see that peace and order were carried out at the polls during election-day, and the republicans on their part pledged themselves to the same; and the understanding was that we were to have a free election—the right to vote for candidates for Congress and State treasurer. I believe those were all the State officers that were elected.

THE FACTIONS OF THE DEMOCRATIC PARTY.

Q. You said in your examination that certain of the members of the democratic party, some of the better citizens there, expressed the belief that they would be unable to keep the young men quiet. Whom do you mean by the young men?—A. They have two factions of the democratic party up there—one they called the old men's democratic party, and one the young men's democratic party—and they both try to have control of the matters; but the young men there are stronger, and generally control. They meant the younger party.

FEARS OF THE REPUBLICANS.

Q. Was it a general apprehension among the republicans of that county that riot and bloodshed would result if that compromise was not entered into?—A. That was the understanding of those I talked to on the subject.

Q. Would that compromise have been entered into by republicans if it had not been for that apprehension?—A. I should think not, sir. We have a majority of between 1,800 and 2,000 in that county.

REPUBLICAN CANIDATES GLADLY WITHDRAW.

Q. I think you had conferred with republicans. There had been a conference of the republicans throughout the county on that subject?—A. Yes, sir; most of the leading republicans had been notified to be in the county, and were there at the meeting of the executive committee. There was a meeting of the county republican executive committee to ratify the action, and the leading republicans ratified the action taken in making this compromise the next day. There were two members, two nominees up for the legislature, but they gladly withdrew their names to give way for the two democrats who would be put on.

Q. And from your knowledge of the facts, derived at that meeting and from other sources, you express your opinion as to the danger apprehended?—A. Yes, sir.

COMPROMISE TICKET ELECTED.

Q. Was that compromise ticket elected?—A. Yes, sir; almost every one voted for it.

Q. There were two members of the legislature elected on it?—A. Yes, sir.

Q. Who were they?—A. J. T. Yellowby and Mr. Stebbins.

Q. Were they members of the legislature at the last session?—A. Yes.

WHO COMPOSE THE YOUNG DEMOCRATS.

By the CHAIRMAN:

Q. Speaking of young men who were supposed to endanger the peace were they men who had been in the army, or young men grown up since

the war?—A. Some of the younger men were too young to have been in the army; others had been in the army. There were a great many up in that section of the country who had gone to the army when they were very young, enlisting at the age of sixteen; quite a number of them.

PERSONAL RECORD.

By Mr. BAYARD:

Q. When did you come to the county?—A. I arrived there on Monday, the 15th day of October, 1868.

Q. Where had been your home?—A. I had been a portion of two years in Holmes County, Mississippi; previous to that I had lived in Madison Parish, Louisiana, where I was not connected with politics then, but was farming, and acted as book-keeper for a firm there.

Q. Where were you born?—A. In Canandaigua, N. Y., and in 1859 moved to Rochester, N. Y., and lived there until 1863, when I went to sea, and have been in different parts of the country since then.

Q. You came to Mississippi since the war?—A. Yes, sir; I arrived in Louisiana in April, 1866.

Q. Then you came to Mississippi in about——A. In the fall of 1867.

Q. And went to this place where you now reside in 1868?—A. Yes, sir.

Q. And you have lived there ever since?—A. Yes, sir.

Q. What was the first office you held there?—A. Clerk of the probate court; though prior to that I had been appointed registrar of the fifth district, under military rule, by General Ames, who was then in command.

Q. Then your first office was registrar?—A. Yes, sir.

Q. What was your next office?—A. I was appointed then probate clerk of Madison County, and I acted as registrar part of the time when I was probate clerk.

Q. How long did you hold those offices?—A. I held the appointment of registrar only during the election of 1869, when Governor Alcorn was elected governor.

Q. Then you were clerk of the court?—A. Yes, sir; was clerk of the court, I think, at the time I was appointed registrar.

Q. How long did you hold that?—A. I held that as long as there was a probate court, and that court was merged in the chancery court, and then I was appointed by Governor Alcorn chancery clerk until there could be an election for the office. There was an election in the fall of 1871, and I took possession under that election of the office in January, 1872.

Q. You were elected?—A. Yes, sir.

Q. Clerk of the county court?—A. Yes, sir; of the chancery court—that is the name.

Q. And that office you continue to hold from that day to this?—A. Yes, sir.

Q. Did you have any other official position than that?—A. No, sir.

Q. Had no other position than that during that time?—A. In the early part of 1869, while I was merchandising, one of my partners was appointed postmaster of Canton, and I ran his office as deputy postmaster.

Q. You did the duties?—A. Yes, sir.

Q. And you still held that office as chancery clerk?—A. Yes, sir; I was elected this last fall for four years, and have three years and a half to run.

Q. On this compromise ticket that was voted for by everybody?—A.

Yes, sir; my majority was larger than ever before. There were some few votes for other candidates by democrats who could not reconcile themselves to vote for a republican.

Q. To save their conscience?—A. Yes, sir; but I think only about twenty-nine votes were polled.

Q. Was there was any nominee against you?—A. Yes, sir.

Q. You did not run in 1873?—A. I ran in 1873 under an act that was passed by the legislature, that was afterward declared unconstitutional. My office is a constitutional office, and the term is fixed for four years, and to draw all the clerks out in the canvass they passed an act requiring us to run again in 1873.

Q. Had you any person opposed to you in that nomination?—A. Yes, sir—no; I do not think there was any ticket against me that year. In the fall of 1871 Mr. John W. Yerger ran.

Q. But in 1873?—A. My recollection is that there was no one opposed to me.

ABOUT COUNTY OFFICERS.

Q. Who were the officials of the county? What were the offices held there?—A. There is a sheriff, and the chancery clerk, and circuit clerk, the coroner and ranger, (that is one office;) then the treasurer, the assessor, then the cotton-weigher, (that has been taken away; that is made a State appointment now under the law;) then there are the supervisors of each district, (five districts in the county,) two justices of peace in all but one district in the county, that has three, or else there are two districts that have three justices of the peace, but one is *ex officio* justice of the peace, being mayor of the city of Canton; then there is a constable for each justice of the peace, and I believe that is all.

Q. You have a chancellor?—A. Yes, sir; appointed for that district in the State; he is chancellor sitting for that county; then there is judge of the circuit court.

Q. Do you know all the parties who held those offices, personally?—A. Yes, sir; every one—no, I don't know my chancellor; I have never met him.

Q. He is a recent appointment?—A. Yes, sir; he has never held court since.

Q. Who was the chancellor who preceded him?—A. William Breck; he was appointed two years ago, and was legislated out of office by this late legislature on account of changing districts. The county was put in a different district.

Q. Were all those officers that you have named, prior to the election of 1875, members of the republican party?—A. Yes, sir; all but some justices of the peace and the surveyor. I did not mention the surveyor. That they always gave to the democrats, the office of surveyor, we not having any one qualified for surveyor in our party.

Q. But all the others, with the exception of this surveyor, were?—A. We gave them one justice of the peace in the district, always.

Q. Excepting that, all the rest of them were members of the republican party up to 1875?—A. Yes, sir.

Q. Mr. Breck was chancellor?—A. Yes, sir.

Q. Where did he come from?—A. He was a New Hampshire man, originally. He lived a great many years in Rochester, N. Y., but afterward was minister——

Q. When did he come here?—A. In 1866, the spring of 1866, and bought a plantation eleven miles north of Canton,

Q. Who was the circuit-court judge?—A. W. B. Cunningham was circuit-court judge, but S. S. Calhoun is now.

Q. From where did Mr. Cunningham come?—A. New Castle, Pa.

Q. The sheriff was examined to-day; he is a gentleman, I believe, from Pennsylvania?—A. Yes, sir.

Q. You are the chancery clerk, as you have stated; who was circuit-court clerk?—A. David Pengree.

Q. Who was previous to this last election?—A. George W. Anderson is circuit clerk now.

Q. Who was the other?—A. David Pengree.

Q. Who was the coroner and ranger?—A. Philip Bartley. He has been for several terms; he is a colored man.

Q. Who was treasurer of the county?—A. J. T. Boyd. He has been for two terms previous to this late election.

Q. Where was he from?—A. He was a native of North Carolina, but lived in this State a number of years. He has been in the confederate army.

Q. Is he a white man?—A. Yes, sir.

Q. Who is the assessor?—A. The assessor was a colored man by the name of S. H. H. Towles, last year, and this year James P. Parker.

Q. Is the assessor a white man?—A. Yes, sir.

Q. Where is he from?—A. He is a native of Mississippi.

Q. Was the colored man a Mississippian?—A. No, sir; I think he is from Ohio.

DEMOCRATS OFFERED TO ACT AS POSSE FOR SHERIFF.

Q. Have you knowledge of the fact that was referred to by Mr. Ross, that, prior to the compromise you have spoken of, many leading democratic citizens offered themselves to Mr. Ross as a posse to aid him in case any difficulty occurred at the election?—A. Yes, sir; I heard they tendered their services or the services of any democrat he might call for.

Q. That was before the compromise was effected?—A. Well, about the time; just about the day before.

Q. Before?—A. Yes, sir.

LEADING CITIZENS MADE THE OFFER.

Q. Do you know who those men were?—A. Mr. Moseby was one, I believe, and Judge Calhoun—he is now judge; he was another that I heard mentioned.

Q. Were they leading men, men of character in that community?—A. Yes, sir; Judge Calhoun is one of the leading men of the community—S. S. Calhoun, one of the most leading men of the community.

Q. Has he a very high character and standing in that community?—A. Yes, sir; W. J. Moseby is another. He has not taken much active part in politics, but he is a leading merchant there.

ABOUT THE MILITARY COMPANY.

Q. You are asked by Mr. McMillan in regard to the organization of a military company which you described; by what name is that company known?—A. Madison Rifles.

Q. Is it or not an ordinary volunteer association of young men in that vicinity?—A. I believe so; it is still kept up.

Q. Was there an organization, an open one; were their meetings held openly?—A. I do not know. I never attempted to go to any of their meetings.

Q. Was there anything at all secret in their organization?—A. Nothing.

Q. You say the only occasion of their parading was on decoration-day?—A. Yes, sir.

ONE EXPEDITION TO CAMDEN—RUMOR THAT THE NEGROES WERE ATTACKING THE WHITES.

Q. Decorating the graves of the dead?—A. Yes, sir. Well, I have known them to go out on one occasion to Camden; at least, a detail of that company came out. It was an expedition to Camden. There was a rumor came that the blacks were attacking the whites up there, and when they got there they found there was nothing the matter. The sheriff, finding that they were going, went himself ahead and found that there was nothing.

Q. How many went out from this company?—A. Somewhere in the neighborhood of fifteen; all that could get horses handy.

Q. Went over to a place called Camden?—A. Yes, sir.

Q. How far is it distant?—A. Eighteen miles north of Canton.

Q. Was there any disturbances?—A. No, sir.

Q. They came back?—A. Yes, sir.

WITNESS KNOWS OF NO ACTS OF VIOLENCE.

Q. Have they committed any acts of disorder or violence in that county, to your knowledge?—A. No, sir; not to my knowledge.

CITIZENS OF CANTON TURNED OUT ONE NIGHT.

Q. You spoke of an occasion when the citizens of the town of Canton turned out at night?—A. Yes, sir.

Q. And armed themselves to protect the town?—A. Yes, sir; patrolled the road leading into town.

Q. When was that?—A. If my recollection serves me right, in September, 1875.

Q. What time of night was that?—A. It was about—early in the evening—about half past 7 or 8 o'clock probably.

Q. Did they continue out all that night?—A. Yes, sir; they had patrolled out that night, and several nights after that.

Q. Was that confined to one party you turned out in this way—did members of the republican party turn out or not?—A. Members of the republican party in town were anxious to know what was going on in town—to find out what was the cause.

Q. Were you among those who turned out?—A. No, sir. Mr. Pengree, who was boarding at my house, walked down town to see what was the matter, and I staid with my wife and some other young ladies in the house.

Q. You did not go down, but this gentleman went?—A. Yes, sir.

Q. Who was this gentleman that went out?—A. He was then circuit clerk. He was boarding with us at the time.

Q. Did he remain down there and with the patrol to guard the town?—A. He walked about until he found nothing was going on, and then came back.

RUMORS THAT THESE COLORED CLUBS WERE MARCHING ON CANTON.

Q. What was the cause of this turning out and arming of the citizens there to patrol the town through the entire night?—A. I could not tell you, because I could not find any grounds for it.

Q. What was apprehended?—A. They understood that there was colored clubs of three different sections of the county marching on to Canton.

A MURDER THE SUPPOSED CAUSE OF THE EXCITEMENT.

Q. You heard such rumors?—A. A few days previous to that a man had been killed by a young man in Canton in a personal difficulty—a colored man, and they understood that there was a great deal of feeling

among the colored people in regard to it. But I never heard that there was any steps being taken by the colored people.

Q. Did they apprehend that steps were being taken when they turned out in this way?—A. Yes, sir.

REPUBLICAN SENATOR OFFERED HIMSELF AS HOSTAGE.

Q. Do you know whether any republican citizens joined them in that attempt to defend the town against this anticipated attack?—A. There was our present senator who turned out with them and tried to allay the feeling that existed, and offered to place himself in their hands; he said that he knew very well that there was no attack going to be made, as he would have known of it from his intercourse with republicans throughout the county; and he offered himself as a safety to the people.

Q. He offered as a republican to protect them?—A. Yes, sir; he offered to put himself in their hands as a hostage that there would be no attack.

Q. Was he armed?—A. I suppose that he had a pistol; almost every one has.

Q. It is rather of the custom of the country?—A. Yes, sir; at that time.

WITNESS DOES NOT CARRY A PISTOL.

Q. You followed it in that respect? You did as the rest did?—A. No, sir; I had a pistol—at one time I had; in going out at night I took it with me, but did not make a practice; it was rather cumbersome to carry around. When I first came to the State I carried one regularly, but I have never had occasion to use it, and so I gave up the habit.

Q. Did you go among the people that had taken these steps to confront that intended attack?—A. No. I spoke to parties passing on the street.

NO REAL CAUSE FOR APPREHENSION.

Q. Did you find there was (and whether justifiable or not as to the result) a great deal of apprehension felt on that subject in anticipation of that attack?—A. I never found any real cause, but they may have suspected there was really danger.

Q. Was there in the minds of these white people who turned out to guard the town apprehension and excitement relative to the anticipated attack?—A. Yes, sir; they were very much excited.

Q. And they staid out all night?—A. A good many of them.

Q. How long did this patrolling last after this?—A. One, or two, or three nights I think. They had young men relieve each other on the road leading to Canton for several nights.

Q. And this was kept up until the excitement died away?—A. Yes, sir.

Q. How long was that prior to this compromise which was effected?—A. Probably a month or more. I forget the exact time that this compromise did occur.

WITNESS GETS REPUBLICANS TO VOTE THE COMPROMISE TICKET.

By Mr. CAMERON:

Q. Where were you on election-day?—A. Twenty-four miles north of Canton. I started first to go to Camden, and they told me there was likely to be a difficulty at Couparle City, and they were talking of sending up some young men to force them—the republicans—to vote the compromise ticket. It seemed that some regular tickets, regularly nominated tickets, had been sent over to Breckville there to be voted in Couparle City. When I drove into Camden, having held a great many

elections out in that district, they thought I would have influence enough to explain the matter so that the compromise ticket would be voted, and they asked me to drive up six miles further to Conparle City. I drove up there in company with Judge Downs, he accompanying me all the way from Camden, and when I got up there I found that none of the republicans had voted, and were in doubt which was the ticket to vote, and in less than—I don't suppose it was more than five minutes after I got there I had explained the matter to them to their entire satisfaction, and they commenced voting, and all voted the compromise ticket. At every election that has been held in Madison County, I have been in the habit of attending at Camden. I am well acquainted up there.

CANTON NEVER ATTACKED OR THREATENED BY NEGROES.

Q. Has the city of Canton, to your knowledge, ever been attacked or threatened by negroes?—A. No, sir; never as I have known.

Q. By whom was that black man killed in Canton?—A. A young man named Jones; he was a clerk to J. A. Reed, a merchant there.

Q. Was he a white man?—A. Yes, sir; I think just arriving at the age of maturity—21 years old.

THE MURDER A PERSONAL DIFFICULTY.

By Mr. McDONALD:

Q. That was a personal difficulty?—A. Yes, sir; nothing political in it, as I understand. A negro got drunk that day and went to cursing this young man, who struck him with an ax-helve and broke in his skull, and he died the next day.

Q. The negro was drunk, you say, and made some attack on him?—A. I don't think he made any attack; he only called him names and cursed him.

Q. Altogether personal?—A. Yes, sir; the young man was indicted for manslaughter, but he has fled the country.

ALEXANDER TAYLOR—MADISON COUNTY.

HOW DEMOCRATS TREAT NEGROES.

JACKSON, MISS., *June* 17, 1876.

ALEXANDER TAYLOR (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. At Madisonville; that is, three miles on the other side of Madisonville.

Q. In what county?—A. Madison County.

Q. Are you a republican?—A. That is what I tries to be.

Q. How long have you lived in Madison County?—A. All my life.

Q. Were you a slave before the war?—A. Yes, sir.

Q. Who was your master then?—A. Mr. Jim Branch.

Q. Were you arrested or was anything done to you last fall?—A. I was.

Q. Just state what that was; tell the story.—A. Last fall we had a speaking about three miles from where I live; and we all belonged to the club——

MEETS DEMOCRATICS.

Q. What was it, a republican club?—A. Yes, sir; and we goes down

and gets about three miles from home, and we meets up and passes some democratics. We had our drums then. There was five of us along then, and they commanded us to stop beating; and I stopped as he told me. He asked me if I would beat any more that day. I told him I would not unless I got further orders from our head commander. He says, "If you don't stop I will have every one of your heads taken off."

ARMED MEN TAKE THE NEGROES' DRUMS, AND PUT THE DRUMMER IN JAIL.

Q. Who was the man that told you that?—A. Dr. Holland; he was the individual that said that; and we goes on our way to the meeting, and on the following evening we got back, and the next day about 11 o'clock I was in the field picking cotton, and there came three of them white men, all well armed, and they rode all around me. I never knew what they were up to; they just come there and drew their pistols and asked me my name. I told them.

They said, "I told you it was your day yesterday and it will be my day to-day." They said, "Now I will arrest you." And they took me along and they kept me in jail until the next day about 11 o'clock, and I had to pay $10 to get out. They also taken my drums away from me, and I never saw them when they cut them up, but I saw them shortly afterward, and they had cut them up, and they said to me afterward, the men that had taken the drums said that they would take every one in the State of Mississippi.

WANT THE COUNTY GOVERNED BY WHITE MEN.

I went on then and was never bothered any further until after the time that they said the election was to be. Then, after the night of election, they came back and come out to see where I was, and said, "Aleck, I heard you was going to vote the radical ticket." I told him I did not know whether it was radical or not; it was some kind. They said, "By God, we want this county to be governed by white men." He says, "I suppose you went to the speaking the other day;" and they said they wanted to know what I heard. Said he, "You have got to state everything you heard; if you don't, you goes up right here." I says, "I forgit; I can't tell you now." He says, "All right. I suppose that they said that they wanted the blood of twenty-five white men to unite the radical band together." I said that I never heard that word. They said that it was spoke at that meeting, and they asked me if I did not hear Captain Key and Mr. Jenkins say so. I said I did not, and they said that they intended to carry this election. I said that that was none of my lookout; that they must do the best they could.

They said, "All right; we wanted to know whether you niggers wanted to fight, or intend to fight." I told them that I did not know what the other niggers intended to do, but I wanted to stay there and work without any fuss. He says, "If you niggers want to fight us, blow your horns and we will answer."

Q. Who said this to you?—A. Mr. Lee Dinkins.

By Mr. McDONALD:

Q. Was this after the election?—A. This was before, when he said that.

By Mr. CAMERON:

Q. On whose land were you at work?—A. Mr. Dinkins's.

MR. DINKINS WANTS A NEGRO DEMOCRATIC CLUB.

Q. This man said this to you?—A. Yes, sir; and just before their election, they had a club, and he came to me before dinner-time one day,

and got to talking with me about cotton, and kept me there so I got tired, and he said, "Aleck, our club is going to meet this evening, and I think I can have a democratic club off of my place to turn out this evening." I told him I did not know about that. I told him that I did not have time to go, I had to pick cotton; and that I would not mind going, but if there was any black people in there they was always inclined to raise a fuss, and I did not want to go there where there was a fuss if I could keep out; and he said he would guarantee that there would be no fuss, and he would protect me and see that I was not abused. I told him that I did not know whether I would go or not, but I would see about it; but I did not intend to go.

He said, "Was Captain Key running for high sheriff?" I told him I did not know whether he was or not; and he says, "Captain Key is not going to get it, nor any other republican in this county." He says, "We are going to run all these scallawags and carpet-baggers out of here." He said what they had done in Yazoo City, and he said lots more; I have most forgotten what he said to me at the time.

FINED BY THE MAYOR.

By Mr. BAYARD:

Q. You live with that same man now?—A. Yes, sir.

Q. Who was the sheriff in the county at the time that you were arrested and taken to jail?—A. Captain Ross.

Q. Is he a republican?—A. Yes, sir; he is.

Q. Who was the person who received you in the jail?—A. He was a colored man; I forgot his name.

Q. Who was the person who fined you ten dollars?—A. Mr. Robert Powell.

Q. Who is he?—A. A democrat.

Q. What is his office?—A. Mayor of the town.

Q. Had you a hearing?—A. Yes, sir; I had.

Q. Who came there as witnesses against you?—A. These men that was down there; they came in the morning.

Q. They made a statement of what you had done, under oath, and then you were fined ten dollars?—A. Yes, sir.

HARRISON DINKINS—MADISON COUNTY.

THREATENED BY THE WHITES.

JACKSON, MISS., *June* 17, 1876.

HARRISON DINKINS (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. Half a mile from Madisonville.

Q. How long have you lived there?—A. I suppose that I was bred and born within two or three miles of that place, and I live within about half a mile of it now.

Q. Were you a member of the republican club there last year?—A. I was, sir.

Q. Did you attend any political or club meetings?—A. I attended only one besides our own.

WITNESS NOT PERSONALLY THREATENED.

Q. Were you threatened by any white men last fall; did you have any trouble with them?—A. Well, not at the time that I was present did they make any threats to me; but they made several threats against me when I was not there; and Dr. Holland came out there one evening and was telling what he would do if they did not stop beating their drums there, though I was not myself there present.

Q. Did you have any trouble last fall yourself?—A. Not more than I heard, and learned from white people all through the whole settlement, talking of what was threatened; what should be done with us if we turned out and attended any political speaking or at the time of going to the election.

RUMORS OF DANGER FROM WHITES.

Q. You may state what the people thought about that; what they said in your neighborhood.—A. From several I have heard that they said that if we should meet at the times that we appointed, that the white people would come, and they would do this, that, and the other; they would injure us; that we should not return from there like we came. I have heard all such remarks as that passing there from one to another.

Not that I heard any white man himself say anything of the kind, of course, but I heard it, and I don't see how it could get out unless it should be from them; and it made me fearful of them, although I ran the risk. I thought I was in as much danger at home as I would be from home, and I turned out at any time when they had any meetings, when I was able to go.

I was very sick along last fall, but I attended the election, though I was very fearful at the time from what should be said should be done on that day, and although I voted, I had a brother that did not on the same account—for what was threatened.

Q. Did a good many of the colored people stay away from the election because they were afraid to go there?—A. I knew of three men, only three that I know of, that did stay away, and they said before the election, after hearing these remarks, that for that reason they would not go, and they did not go. I could not say that that was the reason, but that is what I learned of them beforehand.

By Mr. BAYARD:

Q. Are you 21?—A. I am 22 this last gone March.

J. H. MOORE—MADISON COUNTY.

INTIMIDATION OF NEGROES.

JACKSON, MISS., *June* 17, 1876.

JOHN H. MOORE (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Madison County.

Q. How long have you lived there?—A. I was bred and born there.

Q. How old are you?—A. Thirty-two years—thirty-one last May.

Q. Did you have any trouble with the white men last fall? Were you arrested?—A. No, sir; I was not arrested.

Q. Did you have any trouble before the election?—A. There were some threats made about me, and I would lay out a good deal. I was mightily feared.

Q. What threats were made?—A. A gentleman sent me word.

A KNIFE LYING AT MY THROAT.

Q. What gentleman?—A. Mr. Baskin, president of the club, sent me word that the knife was lying at my throat, but I did not know it.

Q. Why did you understand that the knife was lying at your throat, or that he said it was?—A. I don't know, sir; that was the word he sent me. He was president of the club there, and he sent me that word—notified me.

Q. Who is Mr. Baskin?—A. Wilson Baskin; that is all I can tell you. He was president of that club.

Q. Is he a democrat?—A. I suppose so, sir.

Q. What did you do after you were threatened in that way?—A. I kind of dodged aronnd.

Q. Kept out of the way?—A. Yes, sir; the best way I could.

Q. You can state whether the colored people were threatened in your neighborhood in a similar way to that by the white men.—A. Well, I don't know whether the other people was. I did not really believe that until I met up with him and he told me himself that he sent that word, face to face.

Q. You were president of the republican club?—A. Yes, sir.

By Mr. BAYARD:

Q. Did you vote on the day of the election?—A. Yes, sir.

GREEN FOSTER—MADISON COUNTY.

INTIMIDATION.

JACKSON, MISS., *June* 19, 1876.

GREEN FOSTER (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Madison County.

Q. How long have you lived there?—A. I came there in 1869.

Q. Where did you live before that time?—A. I lived in Virginia.

Q. Where were you born?—A. I was born here in this town, Jackson. I was a soldier in the Army, and I came here after the war.

Q. What were you doing in Virginia?—A. After the surrender I stopped there a while, and then came back to this county.

Q. Were you in the confederate army?—A. No, sir.

Q. In the Federal Army?—A. Yes, sir.

Q. Where were you during the political canvass prior to the last November election in this State?—A. In Madison County.

Q. What part, if any, did you take in the canvass? You may go on and state.—A. I was in the southern part of the county, the lower beat.

ORGANIZED A NEGRO CLUB.

Q. You may state whether or not you organized a club there.—A. Yes, sir; I had a club organized, and have been president of it for three

years last November, and I had about two hundred and sixty members of my club; and last November, just before the election, the white people busted them up mightily, and scattered them around there and shot into the crowd.

WHITES CALL FOR THE PRESIDENT OF THE CLUB.

Q. How did they do that?—A. We generally had a political meeting every Saturday night; that is, we got our club together and had speaking among the members of the club; and Dr. Holland and Lee Dinkins and Capt. George Galloway came one Saturday evening just about half an hour by the sun and wanted to know who was the president of the club.

Some members of the club told him that Green Foster was president. Holland says, "I want to see him."

I says, "I am present, ready to hear anything you have to ask me."

He says, "I understand you are president of this club?" I told him "Yes, sir; I am; the club appointed me."

He says, "Are you a peace-officer of the beat?" I says, "I am, sir."

He says, "Were you elected two years ago?" I told him I was.

He says, "Well, in the place of your keeping the peace you are president of the club here, keeping the colored people beating drums around here."

WE WILL KILL THE LAST ONE OF YOU.

I says, "I will state to you, doctor, that we bought those drums and we paid for them, and every club in the county has got them, and I never known them to be a disturbance to anybody. We don't go by anybody's house and make any noise; we has our particular place to meet, and never interferes with anybody."

He says, "By God! I want you to quit that, and if you meet here again there will be a hundred men meet right here, every one with sixteen-shooters, and we will kill the last one of you."

I told him I didn't know; that we didn't want any fuss, and that we were trying to be as peaceable as we could.

WHITES TAKE CLUB-DRUMS, AND PUT NEGROES IN JAIL.

The next Wednesday following after that they broke into one of the member's houses, and taken the drums from his house and cut the drums up, and put five members in jail and made them pay $10 apiece for trying to keep them from taking the drums.

TWENTY-FOUR HOURS TO LEAVE THE COUNTY, OR HANG.

They came right to my house, and walked up to the door and asked my wife, "Where was Green Foster?" She told them that she didn't know. They walked around and said, "When will he be at home again?" And she said, "I don't know; I don't know where he is." They said, "We wants to see him, and you tell him that we will give him twenty-five hours to leave the county. He is one of the damned radical niggers of the county, and we are going to hang him if he don't leave."

I never did say anything about that until I met Dr. Holland and Mr. Dinkins on a Saturday evening two weeks after that. They asked me when I intended to have another club-meeting, and I told them that I did not know.

I said, "We are trying to do everything we can for peace; that is what we desires to have, and it seems to me that you don't want us to have it. "You come rushing in on us, and went for me at my house when I was trying to attend to my own business." I said, "I don't know what to do."

He said, "If you don't get out of the county you will know what to do; you will be found hanging on the China tree in front of your door some day."

I said I had only one time to die, and if they were going to kill me in that way, they had better kill me now. He said, "Never you mind; we will get you yet." I had staid out of my house for a week or two.

Q. Where did you stay?—A. In my fodder-house and cotton-pen.

WITNESS'S HOUSE FIRED INTO.

Q. Why did you do that?—A. Because I was uneasy to stay in my own house. They came out by my house one night, five or six of them, and fired at my house. I was sitting on my gallery, and I didn't know who they were until I heard their voices. I had two ugly dogs, and they commenced to bark; and when they came to the gate I heard one of them say, "God damn him; let us kill his dogs." When I heard them speaking I knowed who they were, and I walked around on the other side of my house, and they shot at my house five times.

ELECTION DAY—WE ARE GOING TO CARRY THE POLLS TO-DAY.

On the day of the election I was one of the peace-officers of the town; was officer of the day. Lee Dinkins, and Dr. Holland, and Gartner Johnson, and Willie McKee, and Emmitt Savage all came down there with their sixteen-shooters and two pistols apiece buckled around them.

Dr. Holland walked up to me and says, "Are you one of the peace-officers to-day?" I said I was.

He says, "If you don't look sharp we will get you; we are going to rid the country of you damned whelps; you are running the niggers, and we are going to carry the polls to-day."

I said, "Doctor, I don't want any fuss, and didn't come prepared for a fuss."

TWO HUNDRED BALLS IN HIS POCKET.

He said, "By God! we came prepared;" and he put his hand in his pocket and pulled out a handful of balls, and said, "I have got two hundred balls in my pocket, and I haven't killed two hundred niggers yet to-day." I said, "I hope you won't kill me."

Only part of the people would not vote at all; they were afraid to go to the polls. They said that the white people said if they did not vote the democratic ticket they would not be allowed to vote at all; and they said if they couldn't vote as they wanted to they would not go to the polls.

NEGROES AFRAID TO VOTE.

Q. About how many were kept away from the polls?—A. Right there in our neighborhood—I have kept the run of every one of the members of my club, and I have got a list of every one that voted; there were only 50 that voted out of my club—out of 280 members.

Just before the election they taken them five and put them in the jail, and taken the drums and cut them up; and jobbed their pistols on three of them, and told them if they met them at the polls they were going to kill them right there.

JUST AS IF THEY WERE FIXED FOR WAR.

They were always armed, and they were driving around about all the time with their sixteen-shooters, just the same as if they were fixed for war; and the colored people were trying to hold up as well as they could and be as peaceable as they could.

You could not go to a man's house at night hardly and catch him at home around that neighborhood; they were scared to death.

They said they meant to carry the election or kill them; that they should not vote the radical ticket any more; that they were going to control things themselves.

THEY TAKE AND DESTROY THE DRUMS.

Q. In whose house were the drums?—A. In Taylor Johnson's house. He was our drum-major, and had taken care of the drums. They came to his house just about this time in the night. I lived about a mile and a quarter from where he lives. There was Dr. Holland, and Willie McKee, and Sam McKee; they came and asked for Taylor Johnson, and Taylor Johnson was in the field; and his wife, she sent one of the people off to tell Taylor that Dr. Holland was come after the drums. Taylor didn't go home, but went around in the neighborhood and let the men know of it; and when we got to Taylor's house Dr. Holland, and Lee Dinkins, and George Galloway, and Tom Galloway, and Willie McKee, and Sam McKee, and Emmit Savage, and five or six other men—I did not know them—had taken the drums and carried them into the town of Madisonville, and cut them up and threw them down on the side of the public road, and had five of the fellows put in jail for it.

THE GOVERNOR ADVISES PEACE.

The men wanted to know what we should do about it; I told them I didn't know, I was going down to Jackson to see the governor, and see what could be done; I told them it looked like they were intending to have everything in their hands, and that every man had to take care of himself, I reckon.

I came down and saw the governor about it, me and Captain Key, and Mr. Monroe; and the governor said to be as peaceable as we could and he would see what could be done. That was all.

They kept it up plumb until the election was over. After the election was over it was all orderly.

ALL WHITE MEN.

Q. Were the men you have spoken of all white men and all democrats?—A. Yes, sir; all except one, George Singleton, who was called "George." He got after Captain Key—drawed his pistol on Captain Key.

Q. Is he a democrat?—A. Yes, sir; he goes for it; just turned last year, though.

CLUB MET IN A CHURCH.

Q. Where had you usually held your club-meeting; at what place?—A. At Madisonville, in an old school-house down there—well, it was not a school-house; it was a church. We first held it at the school-house, but the colored people got some ground and had a church there, and they told us we could hold our club-meeting in the church.

NO DWELLING WITHIN THREE-FOURTHS OF A MILE.

Q. How far is that building from other buildings in the village or town?—A. There was not any white person closter than three-quarters of a mile, and that was Tom Smith, the man we bought the land from. He never did interfere with us in any way, and there was no other white people lived closter to that place than two miles, and Dr. Holland was the next nearest one; and he lived about two miles.

Q. How many drums did you have?—A. Two.

Q. What were they worth?—A. The best drum we gave $25 for; and the kettle-drum, we gave $10 for it. Never has offered to pay us a cent for the drums or nothing at all; and we could get no satisfaction at all.

MEMBERS OF THE CLUB NOT ARMED.

By the CHAIRMAN:

Q. Were the members of your club armed?—A. No, sir; none at all; never were.

Q. How many pistols and guns did they have among them, do you think?—A. They had guns at home; I never did see them carry them out with them on the march or into town at all. Some of them had guns.

Q. Had they pistols generally?—A. I never seen them with them; they carried them, I think, but they were always concealed where nobody could see them. I never seen any of them shown out, even at election times. All went down to the polls at the election-day and voted as fast as they could and hurried away.

Q. You were not armed on that day?—A. I had a pistol there as peace-officer.

COLONEL WARNER TO BE WAYLAID.

Q. Had the members of your club pistols?—A. No, sir; if they had them I didn't see them. They didn't any of them show any, or talk as if they wanted to fight at all. Colonel Warner came up to the polls to Captain Johnson and asked him if he was allowed to vote there; and he said that he was. Johnson said, "Colonel, if you vote here night will never shut over your head."

Colonel Warner said, "Well, my life is in the hands of the State;" just that way, and walked up to the polls and voted, and as he voted this Johnson stood by me. I looked on his papers as he wrote it; he wrote to Capt. Willie McKee and Emmet Savage to go and waylay the road for Colonel Warner, as he came along up to Captain Key's; and they meant to shoot him.

WITNESS WARNS COLONEL WARNER.

They brought their guns out there. I seen Captain Johnson write it on the paper, and I went to Colonel Warner and whispered it to him, and told him he oughtn't to go up; that they were fixing to kill him as he went along up there; that they were over there trying to get a row raised, to kick up a fuss; and the best thing for him to do was to go to Jackson when the train came along, and he done it.

Q. He did not go to Captain Key's?—A. No, sir.

CROSS-EXAMINATION.

By Mr. BAYARD:

Q. Can you read and write?—A. I can read a little.

Q. Can you read writing?—A. Well, not much.

Q. Did you read it on that note that you said he was writing?—A. He wrote it in a very plain hand, and I made out some of it.

WITNESS FAILS TO READ WRITING.

Q. Can you read that? [Handing witness a slip of paper with something written on it.]—A. No, sir; I cannot make that out.

Q. How far were you standing away from him when he wrote this note?—A. I was standing right at him.

Q. How far were you standing off from him?—A. He was standing here and I was standing with my foot on the back wheel, and he had the note up on the side of the buggy.

Q. You were unable to read that note that I gave you just now?—A. I could not make it out. Then I was in practice when I read Mr. Johnson's note.

Q. How long ago was that?—A. Last fall. I cannot make out everybody's writing.

Q. How far is this church where you held those political meetings from the public road?—A. About four hundred yards.

Q. Off of the public road?—A. Yes, sir; off the public road, in a cotton-field.

ABOUT THE ARRESTS FOR DISTURBING THE PEACE WITH THE CLUB-DRUMS.

Q. Did you beat your drums when you had your meetings there in the night?—A. Yes, sir; in the night and at the church. We didn't hold much there in the night; a little after sundown. We would break up early in the evening.

Q. Did you ever hold any meetings there at night at all?—A. About an hour sometimes in the night; not longer than that.

Q. How many people were arrested for beating those drums and taken to the town of Madisonville?—A. Five.

Q. They were tried?—A. No, sir; just carried them right on and put them in jail.

Q. Who was the sheriff?—A. They just made a sheriff of their own.

Q. Who was the sheriff of the county?—A. Captain Ross was sheriff.

Q. Who was the jailer?—A. Ed. Grant.

Q. Who was he?—A. A colored man.

Q. Isn't Sheriff Ross a republican?—A. Yes, sir.

Q. And Grant is his jailer?—A. Yes, sir.

Q. The next day were these men taken out and fined?—A. The next morning we went there and paid the fine ourselves.

Q. When they were fined, before whom were they taken?—A. Mr. Powell, the mayor.

Q. The mayor of the town?—A. Yes, sir.

Q. Did they have witnesses sworn?—A. No, sir.

Q. Were you present?—A. Yes, sir; I went up there the next morning.

Q. Who appeared against the five men?—A. Dr. Holland, and Mr. Johnson, and Willie McKee, and Lee Dinkins, and Emmet Savage.

THE STATEMENT MADE TO THE MAYOR.

Q. Did they make any statement?—A. They just said that they ordered them to get the drums, and they wouldn't, so it looked like they wanted to resist against them; and they taken them.

Q. Was the statement made before the mayor?—A. Yes, sir; this same statement I have stated.

Q. And then the mayor inflicted a fine?—A. Yes, sir; inflicted a fine on them.

They first went to the mayor of the town for a writ to take the drums, and the mayor said that he could not give them a writ to take the drums, for we had bought the drums and paid for them.

Q. Were you told this?—A. I heard this myself. I heard Mr. Powell, the mayor, state that himself. He is a lawyer, too. He told them he could not give them a writ to take the drums any more than he could to take a man's horse away.

SHERIFF ROSS COULDN'T DO ANYTHING—THEY HAD THREATENED HIS LIFE.

He says, "They taken the drums and busted them up, and I told them it was wrong to do that; but they did do it, and I can't help it." Just that way he told me.

I then went to Captain Ross, the sheriff of the county, and he said that he couldn't do anything. He says, "O, Green, I can't do a thing;

they have threatened to take me out and hang me; what can I do?" I says, "I don't know neither what to do."

Q. Who was the judge? Isn't Judge Cunningham judge of that county?—A. Yes, sir.

Q. He is a republican judge?—A. Yes, sir.

Q. Who was chancellor at that time?—A. I do not know who was the chancery judge there.

Q. Who was justice of the peace there?—A. In my neighborhood?

Q. Yes, sir.—A. Charley Williams.

Q. A colored man?—A. No, sir; a white man.

Q. Is he a republican?—A. Yes, sir.

Q. Who appointed you a peace-officer?—A. I was elected by a majority of the people.

Q. When?—A. I was elected in 1874.

Q. You say you had two bad dogs at the time you were sitting on the gallery when these men passed by your house?—A. Yes, sir.

Q. Are they very cross dogs?—A. Yes, sir.

SHOOTING AT THE DOGS AND HOUSE.

Q. Did these men shoot at them?—A. Yes, sir; one man shot at them.

Q. What other shots were fired than those?—A. That night?

Q. Yes, sir.—A. They did not shoot any more that night; they only shot once at my dogs that night; but the other night they shot five times at my house.

Q. What did they shoot at?—A. At the house. There is one hole where one ball went through the house.

Q. Did you see any more marks of shots?—A. No, sir; but I heerd five reports.

Q. Where were you?—A. In my yard.

Q. In front of your house?—A. No, sir; I wasn't in front of my house; I was around on the back side of my house next to the road. My house was not more than one hundred yards off the road.

DR. HOLLAND THE LEADER.

Q. Did you know who those men were?—A. One of them.

Q. Who was that?—A. Dr. Holland; he was the leader of all that row down there; they all just followed him.

Q. Did you vote on the day of election?—A. Yes, sir.

Q. Was anybody hurt on the day of election?—A. There was not, at that place.

Q. How far did you vote from Madisonville?—A. About four miles from Madisonville, at Calhoun Station. They moved the voting-box down there.

NEGROES DID NOT GENERALLY GO TO THE POLLS.

Q. Did you take your club down to the polls?—A. I did not march them down there that day. I did not have anything to do with the issuing of any tickets at all at that time. I just attended to my own business, so they could not have a chance to pick any fuss with me.

Q. Did your club go that day?—A. Fifty of them.

Q. Did you all go together?—A. No, sir.

Q. Did all that went to the polls vote?—A. Yes, sir.

Q. Do you know whether any of them went to another poll or not?—A. No, sir; all of them voted at that district that voted anywhere; they didn't allow them to vote in any other district.

DID NOT LIKE THE COMPROMISE.

Q. Did these other men who didn't vote go near the polls to vote?—A. No, sir; they stood away; they said they could not vote for the men

who they nominated to vote for, and they just as well not have anything to do with it as to have a fuss.

Q. Did not the men who went there and voted vote as they chose?—A. No, sir. I voted against my will.

Q. Who did you vote for?—A. I voted for Captain Ross for sheriff; I voted for Mr. Jeffrey for chancery clerk; I voted for David Jenkins for member of the legislature; for Mr. Yellowly for member of the legislature; Captain Stebbins, member of the legislature; and Gart. Johnson, justice of the peace in that district.

Q. Who gave you the ticket to vote—where did you get it?—A. I will tell you how that was. We didn't nominate nary one of these men; that was a compromise that they made, and we had to vote that way or not vote at all.

Q. You say you had to vote that way; was there any other tickets on the ground for you to vote?—A. There was some few who had tickets.

Q. Who gave you tickets to vote?—A. Judge Cunningham.

Q. Is he not a republican?—A. Yes, sir.

Q. Was he down there on the day of election?—A. Yes, sir; he was one of the inspectors of election; he voted for the compromise ticket.

Q. Did you not vote that ticket at the request of Judge Cunningham and his friends?—A. I just voted it because they had a compromise on it; but I wasn't voting for nary man that we nominated.

WOULD NOT ALLOW STRAIGHT TICKETS TO BE ISSUED.

Q. Where was your straight ticket?—A. That was what they were raising the fuss about—the straight-out republican ticket. Pleasant Powell came to Jackson and got straight-out republican tickets, and he brought them there, and started issuing them out that day, and Captain Johnson and Emmett Savage and Doctor Holland told them that they would hang him right there if he issued those tickets; that the republican party and the democratic party had agreed not to have any of them issued there that day.

Q. Did Judge Cunningham give you the ticket you voted?—A. Yes, sir.

PLENTY OF REPUBLBICANS VOTED THE COMPROMISE TICKET.

Q. Was the ticket you voted the compromise ticket; the one that he handed you?—A. Yes, sir.

Q. And did he desire you to vote that?—A. Yes, sir; he told me to vote that ticket.

Q. Were other republican gentlemen out there?—A. Yes, sir; plenty of them voted that ticket.

Q. Were they all voting that same ticket that you voted?—A. They were all voting the same ticket that I voted.

ROBERT POWELL—MADISON COUNTY.

THE CASE OF THE CLUB-DRUMS.

JACKSON, MISS., *June* 20, 1876.

ROBERT POWELL sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Canton, Madison County, Miss.

Q. What position do you occupy?—A. I am mayor of Canton and *ex officio* justice of the peace.

Q. Were you mayor of the town of Canton and justice of the peace there in 1875?—A. I was.

KNOWS SOME OF THE WITNESSES.

Q. Several witnesses, colored men, one named Green Foster, and another, Alick Taylor, and John H. Moore, have testified here: do you know them?—A. I am acquainted with Green Foster personally; the others I don't remember.

THE EXAMINATION.

Q. They have been before this committee and stated that they had been arrested last fall during the canvass and brought before you under circumstances, as they considered, of injustice and intimidation, and I want to know your account of that. They said that a fine was imposed upon them for their beating drums in political gatherings.—A. There was such a case came up before me as justice of the peace for the county. The facts were these, as developed by the testimony:

They had been to a political gathering, quite a number of them, I suppose from the evidence, and after the meeting they were going back, some of them drunk, hooting and hollering, and they had disturbed the peace, which was contrary to the statutes of the State in such cases made and provided.

I had them before me and started into an investigation of the matter, and got as far along as I have stated to you, when the sheriff of the county, who was a friend to these parties, and a republican——

SHERIFF ROSS ADVISES THE NEGROES TO PLEAD GUILTY, AND PAYS THEIR FINES.

Q. What is his name?—A. R. J. Ross, the sheriff at that time and is now. He came there and advised them to plead guilty and ask the court to be as lenient as possible. I fined them, and he paid for them.

Q. How many did you fine, and about what amount?—A. I think I fined them $5 apiece.

ONLY TWO OR THREE ARRESTED.

Q. How many were there?—A. Two or three; I don't remember which. Those are the only ones that I had up during the canvass for riot or anything of the kind last fall.

THE NEGROES WERE "HOLLERING" AND ALARMING WOMEN AND CHILDREN.

Q. What was the nature of the charge against them?—A. It was for disturbing the peace. They came up, and were requested to stop hollering. They stated that it was a free country, and that they would holler as much as they damned pleased; and they continued hollering, and had the women and children throughout the country very much frightened.

Q. They mentioned the destruction of drums: do you know anything about their beating drums in their possession, and how they used them?—A. They had drums in the possession of the clubs around the county. The county was organized into clubs, and has been for two or three years. The republican party had organized them into clubs. They have a constitution—I have seen it—and they meet three or four times a week. They have their drums at their meetings, and they operate at night and drill, and sometimes are very unruly—not always.

On this occasion they were beating their drums, and in addition to that were hollering.

Q. Was this by night or day?—A. At night.

Q. Did they hold their meetings frequently at night?—A. Yes, sir; almost entirely at night. I have gone out to see them myself occasionally during the canvass at the solicitation of one or two of them, and they extended to me the courtesy of speaking to them.

They were very polite at that time, but the speakers on their side indulged in some pretty incendiary language.

Q. What was the character of the language they used?—A. They said that the white man could never be their friend, and that he could not live in the same country with them, or words to that effect; that the negro, the "bottom rail," was on top, as the old expression is, or words to that effect. It didn't amount to anything, though, I reckon.

Q. Was there anything irregular in the fining of these persons; was it strictly in accordance with the law of the State?—A. I tried to do what I thought was right about the matter. I thought I knew the law and tried to administer it. I am also a lawyer.

CHARACTER OF DR. HOLLAND.

Q. Do you know Dr. T. W. Holland?—A. Yes, sir.

Q. He has been referred to by two or three of these black men who have been examined, and they have stated that he was exceedingly profane in his language to them, and Foster said that he recognized this gentleman's voice as one of a party that rode by his house twice at night, and once they shot at his dogs and once they shot at the house: state who Dr. Holland is, as to what his character is.—A. Well, sir, he is a man about forty-seven or forty-eight years of age, a deacon in the Baptist church at Canton, and I think if I was going to pick out a man in the country for exemplary conduct and high moral tone, I could not find a better man; and I think that will be the universal testimony of any responsible citizen in the county.

So far from cursing, since six or eight years ago when he joined the church, I have never heard him curse, and I don't think he ever has; and I would almost say absolutely that he has not, because he is an exceedingly pious man, and has a high and responsible position in the church.

He is a highly respected citizen and wealthy man, and the head of a family. I don't think it possible that anything of that kind could have occurred.

Q. Was he one of the parties who made the complaint against these disturbers of the peace?—A. Yes, sir; he came in and made an affidavit against the parties—he in company with one or two others who had heard of it. They passed by his house; that was the reason he came in. He lives near the road, and they passed by his house, and he came in and made an affidavit; said he thought that ought to be attended to.

Q. Is he a man of temperate and orderly habits?—A. Universally. I never saw him drunk in my life. There is not a better man in the county. That is the truth about it.

Q. Is it credible to you, knowing, as you do, Dr. Holland, that he should, in talking to men, interlard his conversation with the oaths of "by God," and "God damn you," and things of that kind?—A. No, sir; I should pronounce it unqualifiedly false, from my knowing the man as I do; and I know him well.

NEGROES BEATING THEIR DRUMS UNTIL TWO AND THREE O'CLOCK AT NIGHT.

Q. Did these men beat these drums late into the night?—A. Yes, sir;

sometimes as late as 2 or 3 o'clock at night. They hardly ever broke up before 12. I could hear them at different times in the night.

Q. Were those organizations of negro clubs frequent throughout the country?—A. Yes, sir; in every district and beat; in every neighborhood they had a club. I don't believe there were a hundred colored men in the county that didn't belong to one of those clubs.

WITNESS MADE TWO OR THEE SPEECHES TO THE NEGROES.

Q. Did you take any part in the canvass of the county?—A. Yes, sir; I spoke several times to them; spoke to the negroes especially. I was rather popular among the negroes, and spoke to them several times; more than I did to the white people, in fact.

NEVER SEEN A MORE QUIET ELECTION.

Q. State the character of the canvass and election last fall as to peace and good order.—A. I have never seen a more quiet election. On election-day there was not a single fuss in town. I didn't make a single arrest, and I don't know of any violence that occurred, except at one time near Camden.

NEGROES THREATEN A WHITE MAN NEAR COUPARLE.

There was a party came down to Canton and reported to me as mayor of the town, and as being the mayor I occupied the most conspicuous position of any justice of the peace in the county. He came down and reported to me that the negroes, in going out to Couparle, a little place near Camden, passed by his house that morning, beating their drums and yelling, and using some very vile language in the presence of his wife and family; and stated to him that when they came back they would fix him.

He got on the train and came down to Canton. It seemed that they were very noisy in their demonstration. This is only hearsay evidence; I am simply telling what he said to me.

Q. It was a complaint made to you as an officer?—A. Yes, sir. He stated that they had gone on then to Couparle to attend a trial before a justice of the peace, and they stated that when they came back they would fix him, or words to that effect. He got on the train and came down to Canton and reported to me.

From his report I thought there was, perhaps, danger of a riot up there, and I went to see the sheriff of the county.

SHERIFF ROSS GOES UP WITH A POSSE.

Q. Sheriff Ross?—A. Sheriff Ross; yes, sir; and asked him to go up there and take his posse, and examine into the matter; which he did.

Q. Who composed the sheriff's posse on that occasion?—A. They were a company of young men round town there and one or two of the sheriff's friends. I told him I would go with him myself in a buggy.

NEGROES GOT DRUNK, BUT DID NOT MOLEST ANYONE.

Q. Did any difficulty take place?—A. None, sir; they went up there, and the parties, many of them, got on a big drunk, and raided around extensively, but no damage had been done.

Q. Who were drinking?—A. The negroes I was speaking of just now.

Q. Did they molest this gentleman afterward?—A. No, sir.

THE MURDER OF WESS. THOMAS AND EXCITEMENT OF THE NEGROES.

Q. Do you know of any other trouble at all through the county during the canvass?—A. No, sir; I know of none there. Along early in the summer, before the political excitement had begun, there was a negro there killed by a white man by the name of Flake Jones. He was killed

in Canton there. They had been on good terms. This negro had been waiting on Jones, and I understood that the night before he had been fiddling while the boys had been dancing around town there. They had been on the best of terms; but this negro, Wess. Thomas, got drunk and insulted this man, and struck him, I think, and Jones struck him back, perhaps.

Wess. Thomas had been at work that day, and had a saw and a hatchet in his hand, and he attempted to use them, and Flake Jones struck him once on the head with the helve of an ax, without any ax on it. He was a clerk in the store there, and picked up this ax-helve.

There didn't appear to be any serious damage done at the time, though afterward the negro died.

The evening before he died I went up to the place where he was—this was before the canvass had begun at all—and found him suffering for want of some things. I had known him. He used to belong to a brother-in-law of mine; and I sent down and got him some comforts, and got a physician for him; but he died that night.

THE WOMEN WISH THEY HAD ON BREECHES, ETC.

Around this place where this negro was, there was a large crowd of negroes assembled; and the women were especially noisy; said that it was an outrage, and that the negroes ought to burn down the town; and they used some very vulgar expressions; said if they were not women, that if they had on breeches, they would attend to the whites. The women were doing the talking and the men appeared to be pretty sullen. I quieted them and got them out of the room, so that this fellow could breath freely.

A STAMPEDE IN TOWN.

That night, or the next night, I forget which, hearing of this difficulty in the town and the threatening language used by these parties, we had a sort of stampede in town.

There were drums beating at Colonel Singleton's place—now a member of Congress—and some parties came into town and said that the negroes were marching on the town. They came and waked me up; I had just gone to bed and hadn't got to sleep, in fact. They got me out of bed, and I went down town.

THE SHERIFF SENT FOR, AND THE CITIZENS ARM.

The first thing I did was to send for Sheriff Ross. I thought, perhaps, that we might have a riot, and he was the proper party, under the law, to attend to things of that kind; and he came down.

The citizens all armed and met on the square, but there was no violence used to anybody at all.

We said to the negroes that we didn't intend to harm them at all; that we simply intended to protect ourselves. We had heard these drums beating out there, and we thought that the clubs were likely to march upon the town.

ALL KINDS OF RUMORS—NOBODY HURT.

We heard all kinds of rumors. We sent out parties and found them on Singleton's place, drilling in an old field; but they didn't come to the town at all. The thing passed over and there was nobody hurt.

Q. What numbers of them were there collected?—A. O, in that old field, about 125 or 130, it was estimated.

Q. What are the relative numbers as to blacks and whites in your county?—A. Well, sir, I could not tell you exactly, but the colored people are largely in the ascendency.

Q. It is here stated, [referring to a map of the State,] "5,809 whites" and "13,139 blacks."—A. I suppose, sir, that is very near correct; about two and a half or three to one.

REPUBLICAN NEGROES THREATEN DEMOCRATIC VOTERS.

Q. Was there, during the canvass, to your knowledge, any intimidation or violence toward any class of the community?—A. I only knew of two cases of intimidation, and these were by two negroes. There was a party by the name of Philip King, who had been captain of a republican club there. His old master was running for the senate of the State, and I suppose from his affection for him he came over, and he got a good portion of the colored people to join him.

He had organized a democratic club, and it seemed that the negroes from the adjoining districts around there in his neighborhood wanted to take his drum away from him; and they told him that if he attempted to vote the democratic ticket they would kill him.

He made an affidavit, and I issued a warrant for the ring-leader. He escaped my officer, however, and I never got him.

They had another case; they had tried and convicted a negro by the name of Henry Wallace before Judge Downs, a justice of the peace for the county. I only know that from hearsay, from what I heard from Judge Downs and from the citizens.

He was convicted for threatening to kill a negro for belonging to a democratic club, though I don't know whether it amounted to anything or not.

We had a democratic club meeting there; we had organized a club there in town and met once in two or three weeks, and a great many negroes had joined it, some fifteen or twenty that night; and the next morning there was a placard on the walls around in different places, stating that the negroes who had joined the club there that night, giving their names, saying that their days were numbered.

WITNESS KNEW OF NO OTHER CASES.

Q. Except as you have stated, do you know of any act of violence or intimidation practiced toward anybody in the county or toward any class of citizens?—A. No, sir; those are the only ones I have seen or known about or heard about.

Q. Was there anything political in this affray between the white man who struck the black man in the store with the helve of an ax?—A. It was a merely personal encounter. Politics hadn't looked up at all, and there was no feeling of excitement at all when the thing was done. They had been personal friends, and this negro was drunk, and struck him; and when he attempted to chop him with the hatchet he struck him once with the eye of an ax; politics was not mentioned.

By Mr. CAMERON:

Q. What time was that done?—A. In the early summer, before the canvass had opened at all.

CHARACTER OF GREEN FOSTER.

By Mr. BAYARD:

Q. What is the character of this Green Foster, the colored man who has been here as a witness?—A. Well, sir, he does not bear a very good character, as far as I know of him. He has been arrested for stealing a hog, I think a black boar, and he was bound over by a justice of the peace; but the grand jury failed to find a true bill, as they frequently did along about this time.

Q. How were the grand juries composed?—A. Mostly of colored people; some few white; very few, however.

Q. How were the petit juries composed?—A. Largely of colored men, and sometimes as high as eleven colored men to one white man, and sometimes the entire jury were colored people.

IGNORANCE OF NEGRO OFFICIALS.

Q. All these people who have the summoning of the grand juries and petit juries—the board of supervisors of the county—are they not ignorant people?—A. Yes, sir; they had a board of supervisors there last year not one of whom could write his name, with one exception, and he could only write it mechanically.

Q. Who was that composed of?—A. Negroes.

Q. Were they all blacks?—A. Yes, sir. There was only one that could write his name, and he could only write it mechanically.

Q. Those were the men that assessed the taxes for the county?—A. Yes, sir; they were the legislature for the county.

Q. They selected the jurors?—A. Yes, sir.

Q. Had you any justices of the peace who were colored?—A. Yes, sir.

Q. Do you know their condition as to illiteracy?—A. This year we have one in the county that can write his name. Last year, however, I don't think there was a colored justice in the county who could write his name. I know several of them personally.

HOW JUSTICES OF THE PEACE KEPT THEIR DOCKETS.

The way they kept their dockets—they never report but very few fines; I think one of them reported about five dollars—the way they kept their docket was to get some friendly neighbors to write it up just before the grand jury met, to present it to them.

Q. When the docket was written were they able to read it?—A. No, sir.

Q. And they had the control of the criminal and civil business of the county?—A. Yes, sir; there was only one democratic justice of the peace in the county, I think, besides myself; Mr. Garrett.

Q. Were these justices of whom you have spoken able to fill up the writs they issued, to sign them, or know what they contained?—A. No, sir.

Q. Did they sign these writs by a mark, or get some one to write their names for them?—A. Signed them by a mark, I believe.

Q. Have you seen them so signed?—A. I have; from one Bailis Winlark; he could neither read nor write, and could not even sign his name—perfectly illiterate; he don't know anything.

Q. How about the public schools of the county?—A. I don't know much about school matters; they seem to run them pretty well, though, keeping them up.

Q. Had they a system of schools?—A. Yes, sir.

BLACKS HAD A MAJORITY OF THE SCHOOLS.

Q. How many colored ones and how many white throughout the county?—A. I think the preponderance was in favor of the blacks. They had a majority of population, and I think they had a large majority of schools. I know there were a great many colored teachers, men and women.

Q. Who selected the superintendents of education?—A. I don't remember, sir; I think they were appointed by the State superintendent, if I recollect right. I am not certain about that fact, however.

Q. Where did you vote on the day of the election?—A. I voted in Canton.

NOTHING SAID OR DONE TO PREVENT ANY MAN FROM VOTING.

Q. Describe to the committee the progress of that election.—A. I was running for office myself at that time, and was over at the mayor's office in the west ward most of the time; but I went around to the polls very frequently, and I don't think I ever saw as quiet an election in my life. All the saloons, by law and by my special order, were closed up, and there was no fighting, quarreling, or anything else, during the election at all.

Q. Was there anything that was done or said to prevent any man from voting according to his wishes?—A. No, sir; the negroes, a good many of them, were working for the democratic candidate. I know several that were working for me. I had a very large majority in town there, and seemed to have been very popular with the negroes. They had a candidate out; but we have always had a majority in the town, but not in the county. I beat my opponent about six or eight to one.

ABOUT THE COMPROMISE TICKET.

Q. We have been told by Captain Ross and other witnesses that there was a compromise ticket agreed upon before the election.—A. Yes, sir; there was.

Q. Composed of both parties?—A. Yes, sir. The origin of that compromise was this: We had a convention there, and Mr. Singleton and myself—young Tom Singleton, son of Representative Singleton—heard that either Judge Cunningham or Judge Breck, one the circuit judge and the other the chancellor——

Q. Republicans?—A. Yes, sir; both republicans. We heard that they had made some statement to some parties at Madison Station that a compromise would be agreeable. It was generally understood that a compromise could have been effected early in the canvass.

They wished to give us a good many offices; they recognized the fact that their board of supervisors was utterly incompetent and had run the county into debt, and that the justices of the peace were illiterate and didn't administer the laws correctly.

They were willing early in the canvass to make this compromise. We heard of it, and we went up to see Sheriff Ross, and he said that he didn't know that Judge Cunningham had made any such proposition as the one that we proposed, but that they might make the compromise.

Well, we told him that we had come there to see about it, and if they wanted any compromise we could present it to the convention; that the convention was in session that day, and we could have it ratified by the people. That was the origin of it.

He went over then to see the executive committee, or the chairman of it, and they called a meeting of their executive committee that day or the next, I don't know which; they got a majority of them, and then they made a proposition to us whether we should take it or not.

It was exceedingly doubtful at that time how the county would go. We didn't know whether we would elect our ticket, and they were not certain of electing theirs either, by a good deal.

THE COMPROMISE CARRIED OUT TO THE LETTER.

They made a proposition, and after one or two minor alterations we accepted it, and the compromise was carried out strictly to the letter; that is, on our part. There was some attempt on the other side to influence the parties differently, but the majority of their party stuck us to it.

The negroes were very indignant at the compromise; and Ross told me two or three days ago that it was all they could do to control them

to make them make the compromise. They told them that the election would be very close, as it was, and they finally agreed to compromise.

THE SHERIFF'S POSSE DESTROY THE CLUB DRUMS.

By Mr. CAMERON:

Q. Do you know from information or otherwise what became of the drums belonging to those colored men of whom you have spoken?—A. Which particular ones?

Q. Green Foster and his friends.—A. Yes, sir; I understood that they had given up their drums to the posse that went out after them, and that the drums were destroyed. I didn't go out myself, though, as a matter of course. I sent for Sheriff Ross and he sent out his posse. It was his men, his deputies. He was sheriff of the county and they were his officers. I understood that they had given them up and that they were destroyed. Only one drum, I think.

Q. Did you not learn that some persons forcibly entered the house of a negro man named Taylor, who had these drums in his possession, and obtained the drums and destroyed them?—A. No; I never heard it.

CANNOT REMEMBER THE NAMES OF THE POSSE.

Q. Who constituted the posse to whom the drums were delivered?—A. Well, sir, I cannot remember their names; there were three or four.

Q. Can you not remember the names of any one?—A. No, sir; I cannot remember the names of a single one. I remember that they came to me for the writ, and I told them to go to the sheriff and have him to deputize them, which they did.

THINKS DR. HOLLAND WAS NOT ONE OF THE POSSE.

Q. Was Dr. Holland one of those?—A. I don't know, sir; I don't think he was one of the deputies.

Q. Will you please state the reason why you think he was not?—A. I think he remained in town while they went out for them.

Q. What day of the week did they go out for them?—A. I cannot remember.

Q. How long after the meeting, of which Dr. Holland and others complained, did they go out for them?—A. My recollection is they came in the next day after, and that the posse went out the same day.

CANNOT REMEMBER THE NIGHT OF THE MEETING.

Q. And do you not know, as a matter of fact, that the meeting was held on Saturday night?—A. Which meeting?

Q. The meeting held by the negroes when Dr. Holland complained that they made so much disturbance.—A. My recollection is that it was on Friday night, but I am not certain; it may have been on Saturday night.

Q. Was it not on Saturday night, and did they not go out the next night?—A. The meeting they had was held in the day-time, and this disturbance that I was speaking about occurred when they came back at night.

Q. Did some of these men apply to you as mayor or justice of the peace for a writ or some process by which they could obtain possession of those drums?—A. No, sir; nothing was said in reference to obtaining possession of the drums at all.

Q. For what purpose did they apply to you?—A. For the purpose of having them tried on the charge that I have spoken of just now.

Q. Was that the only reason?—A. Yes, sir.

Q. During the last canvass, were there democratic clubs organized throughout the county?—A. Yes, sir.

Q. About how many?—A. Ten or twelve; may be there were thirteen or fourteen, perhaps; not more than fourteen.

Q. Was the organization of the democratic clubs substantially a similar organization to the republican clubs?—A. Yes, sir; the republican clubs had been organized perhaps before the democratic clubs were organized; something on the same order, only they didn't have the same constitution.

They were not organized to the same extent; I know that the republican clubs had a sergeant-at-arms and all the appendages, you know. They had a captain of the club, and a president and a vice-president. The democratic clubs never had a president and had no captain. The captain, it seems, was for parade-days, and the democrats didn't have anything of that kind.

NEVER KNEW OF ANY ARMED BANDS OF NEGROES ATTACKING THE WHITES.

Q. As a matter of fact, do you know of any instance, during the last year I will say, when armed bands of negroes made attacks on the white persons in your county?—A. No, sir; I do not; nor do I know of any whites that attacked any negroes.

REMARKABLY QUIET THE NIGHT BEFORE ELECTION.

Q. I will ask you whether your county was quiet and orderly on the night before the election, or whether or not parties did not generally ride over the county firing off guns.—A. It was remarkably quiet. After the compromise was effected most of our people took very little interest in the election at all. I think that we would have carried the county if they had all come up to the polls and worked hard like they did in Canton. Every man shut up his store and went out to work there.

Q. What I want to get at is this: whether or not on the night before the election parties did not ride over the county, firing off pistols and hallooing, &c.?—A. No, sir; I should think not. I never heard anything about it, and from the peaceable way in which the negroes came up to the polls to vote the next morning—there was no attempt to drive them away at all, and no arms on the ground—I should say that they could not have done so. I never heard anything about it at all, and I would have heard if it had occurred.

CROSS-EXAMINATION.

By Mr. McMillan:

Q. How long have you resided in Canton?—A. I have been living in Madison County for thirty-three years. I came from North Carolina when I was a year old, and I lived out near Canton, some seven miles, until, I suppose, about eight or ten years ago. I was off at college for two or three years.

Q. You are a democrat?—A. Yes, sir; and always have been.

Q. What is the name of the man that was arrested?—A. Taylor, do you speak of?

Q. Yes, sir; where does he live?—A. I think he lives out on the Dinkins place; I am not certain.

Q. How far from Canton?—A. About ten miles, I believe, sir; between eight and ten miles.

Q. Where does Foster live?—A. Something farther off. He lives down at the Buker place, about three miles from where he was arrested; that is, about twelve miles from Canton.

Q. Where does Dr. Holland live, with reference to Foster?—A. About four miles from Foster.

THE CLUB MET FOUR MILES FROM DR. HOLLAND'S.

Q. Where was the meeting of the republican club?—A. I think, from what I heard, it was at the Stone place.

Q. How far is that from Dr. Holland's?—A. It is about four miles, I reckon, in a different direction from where Foster lives; a sort of an angle.

Q. At what time was it alleged by Dr. Holland that the disturbance at that club took place?—A. Two or three hours after dark, or an hour or two after dark, it may be; or within half an hour or so.

Q. About what time in the month did that occur?—A. I cannot recollect; by referring to my docket I could tell you.

Q. About what day of the week?—A. I could not remember, but my impression is that it was on Friday; it may have been on Saturday.

WARRANT ISSUED NEXT DAY AFTER THE MEETING.

Q. When did Dr. Holland come to you about the matter?—A. My impression is that it was the next day after the thing occurred. If it was on Saturday he could not come until Monday; but if on Friday he came on Saturday. It was very soon afterward.

Q. Did he make an information before you?—A. Yes, sir; he asked for a warrant.

Q. Did he make an affidavit and apply for a warrant?—A. Either he or another party who had come with him. I think Holland made it, though.

WITNESS ISSUED THE WARRANT.

Q. Did you issue a warrant?—A. I did.

Q. Who executed the warrant?—A. I sent it over to Sheriff Ross and he raised a posse. I don't know who composed the posse.

Q. Did that posse take any drums from Foster?—A. As I stated before, the posse took one drum. I don't know whether it was from Foster or not; I don't think it was from Foster.

Q. What did they do with it?—A. I have heard that they bursted it up; I don't know.

Q. Was that developed on the testimony before you?—A. No, sir; it must have been broken up afterward. I didn't hear anything about that; there was nothing said about the drum.

Q. Then the occurrence of breaking the drum was after this fining of the colored men?—A. I say I didn't hear of it until afterward; I don't know when it was done. I suppose it must have been done afterward, after they brought it down. I don't know but they done it on the way; I heard nothing about that.

Q. You made no inquiry about it?—A. I didn't hear of it until after the trial was over. There was no complaint made to me in reference to breaking drums at all.

ABOUT THE MURDER OF WESS THOMAS.

Q. What was the name of the white man who killed this negro in the early part of the season?—A. That was before the canvass began; his name was Flake Jones.

Q. Who was the negro that was killed?—A. Wess Thomas.

Q. Were you present at the killing?—A. No, sir; I only heard the particulars.

WITNESS HEARD OF IT.

Q. Whom did you hear it from?—A. From a good many persons, both white and black.

Q. Was Flake Jones ever punished for that crime?—A. No, sir; he went to Texas.

Q. Was he ever arrested?—A. No, sir.

Q. Where did that occur?—A. In town; in the city.

Q. You knew of the homicide before the man died and at the time of his death?—A. Yes, sir.

Q. You were in the city at that time?—A. Yes, sir.

WAS A LAWYER AT THE TIME.

Q. You were a lawyer at the time?—A. Yes, sir; allow me to explain myself.

WAS MAYOR AT THE TIME.

Q. You knew that the homicide occurred there, and you were mayor of the city at that time?—A. Yes, sir; but I did not know it until after he had left.

Q. You did not know it until after he had left?—A. No, sir.

WITNESS DOES NOT KNOW WHEN THE MURDERER LEFT.

Q. What time did he leave?—A. He left the next morning, so I am informed; I don't know—or rather he left that night. I don't know when he left; he was gone the next morning.

Q. Was there ever any investigation of the matter?—A. None, sir; for I could not get the man; we had a warrant issued for him.

Q. Was ever any investigation entered into, or proceedings taken to punish him?—A. Yes, sir; there was a warrant made out and put in the hands of an officer, who reported him "not found."

MURDERER REPORTED "NOT FOUND."

Q. What time did you do that?—A. The next morning—Sunday. This was Saturday.

WITNESS EXPLAINS.

Q. That was after the man died?—A. Yes, sir; it was late Saturday evening, after I had gone home. Allow me to explain myself now you have put me in the position of not doing my duty, which I tried to do.

It was late Saturday evening after I had gone home that that thing was done, and from what I had been told, it was simply regarded as an assault and battery. He only struck him once and the man didn't seem to be affected at all that night, so I had been told.

The next morning I came down town and heard of the matter. There was an affidavit made before me, and I issued a warrant for him. I think, however, if he had stood the trial, from what evidence I heard in the case, he would have been acquitted.

Q. No indictment was ever found?—A. I don't know whether there was by the grand jury or not.

Q. Was there an affidavit made?—A. Yes, sir; before me, and I issued a warrant for his arrest.

Q What did you do with that affidavit?—A. After I found I could not get the person, I just filed it.

Q. You did not return it to the prosecuting attorney for him to make a return of it to the court?—A. I spoke of it to the grand jury; I didn't have to return it to the prosecuting attorney.

Q. Did you make any return of the information before you to the officers of the county?—A. I didn't return the affidavit; that is never done.

Q. You never returned that?—A. It is never done. I will state that where the party is not found, the affidavit is filed, "not found;" and if the party comes back, he is arrested on the warrant and tried.

When I went before the grand jury they asked me if I had heard

of any killings, any murders of any kind or nature, and, if so, to state what they were——

Q. And what had been done in order to bind the party over?—A. Then I report it to the grand jury, and they find a true bill, or not, as they please. This matter was known, though, by everybody; the grand jury knew it.

COLORED MAN MADE THIS AFFIDAVIT.

Q. Who made the information before you?—A. I have forgotten his name. It was a colored man.

Q. What facts were stated in that affidavit?—A. Simply that the party had been manslaughtered; that manslaughter had been committed upon him.

Q. What facts were spoken of in the affidavit?—A. I think that the affidavit alleged: personally appeared before me, Robert Powell, mayor of the city of Canton and *ex-officio* justice of the peace, such a person, and upon oath set forth that Flake Jones upon a certain time committed manslaughter upon a certain party, &c.

Q. Who drew the affidavit?—A. I did. The man didn't know but very little about it himself. It was done in the heat of passion, and our statute says in that case it shall be manslaughter.

Q. What is the relative proportion of whites and blacks in Canton?—A. Well, sir, I don't know; but the whites have about 100 majority of votes.

Q. Is the white population greater than the black population in Canton?—A. Yes, sir.

DUTY OF THE DISTRICT ATTORNEY.

By Mr. McDONALD:

Q. Where a warrant is not executed and the party not arrested, are you required under your law to make any return of it to the governor of the State?—A. No, sir.

Q. It is only where the party is arrested that you are required to make such return?—A. Yes, sir.

Q. Was there a district attorney there?—A. Yes, sir; right in the town.

Q. What was his politics?—A. Republican.

Q. Under your law has he charge of criminal prosecutions?—A. Yes, sir; he has.

Q. That is his duty?—A. Yes, sir; it is his duty to prosecute all cases of that kind. He didn't appear to prosecute that; didn't come up at all.

By Mr. McMILLAN:

Q. Did not appear before you?—A. No, sir.

Q. Did you give him notice?—A. He knew of the warrant being issued.

Q. Did you give him notice of the fact?—A. No, sir; I was not required to do that. It was his business to have had the affidavit made up, though I made up the affidavit from the information given to me.

P. C. POWELL—MADISON COUNTY.

INTIMIDATION OF REPUBLICANS.

JACKSON, MISS., *June* 20, 1876.

P. C. POWELL (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Madison County.

Q. How long have you lived there?—A. I was raised there.

Q. Where were you during the last political canvass in your county?—A. I was living between Canton and Madison Station, about three miles east of Calhoun Station.

Q. What do you do; what is your business?—A. Well, I am a kind of a jack-leg of a preacher.

Q. Were you a slave before the war?—A. Yes, sir.

Q. Have you got any education now?—A. Yes, sir.

Q. Can you read and write?—A. Yes, sir.

Q. When have you acquired your education?—A. Since the war.

Q. How old are you?—A. I am 30 years old; born in 1845.

Q. What are your politics?—A. Well, republican.

WITNESS ORDERED TO LEAVE CALHOUN AND TAKE HIS TICKETS WITH HIM.

Q. In what precinct of your county do you reside?—A. Calhoun.

Q. State whether or not you were driven from that precinct last fall; state the facts in regard to the matter.—A. Well, sir, on the day of the election—it was the second day of November last—the polls opened at 8 o'clock, and I had a great many tickets sent me from the chairman of the county executive committee.

Q. What tickets were those?—A. They were the republican tickets, to distribute; and I went down to the station, intending to give them to our people, and Mr. W. G. Johnson, of Madisonville, who was there, and a great many men of his club—he was captain of the club there——

Q. Is it a white club?—A. Yes, sir.

Q. A democratic club?—A. Yes, sir; and he ordered me to leave the station and to take my tickets with me.

"I WILL GIVE YOU TEN MINUTES TO GET OFF THIS GROUND."

Q. Just state what he said, as near as you can remember his language.—A. I will. He says, "I will give you 10 minutes to get off of this ground." He says, "The whole of the white people have got their eyes on you; they have got you spotted"—that is the very words he said—"and if you ain't away from here in that time you will be killed."

He says, "To-night, if we can find you, we will hang you." That is just what he said to me; but I didn't leave the station at that time.

I left while the polls were opened, and went 150 yards, where there was a store in the depot. I went there and staid there, and talked with some fellows a while; and he came over there, and he says to me again, "I told you to leave here;" and I got ready, and went right away, and I didn't give out any more tickets.

W. G. JOHNSTON THREATENS THE LIFE OF SENATOR WARNER.

He said, "I have been watching Colonel Warner"—that is our senator that we elected for four years—"I have been watching him around here all day, sailing round in his buggy, and if he votes the republican ticket to-day on these grounds he will be killed at these polls;" and he said that

Monroe—that was a republican and a white man; his name was Alexander Monroe—he says, "he has gone out of the country. I sent him word to leave the county, and he has gone. If he had been here to-day we would have certainly killed him," and so on.

DR. HOLLAND TELLS WHAT HE WILL DO.

Dr. Holland he came up there, a man that lived at Madisonville, and told me that he didn't want me to give none of his boys none of those radical tickets, as he called them.

He says, "Every man that works on my place that votes that radical ticket he shall pay for my meat and bread and his own, too; and those that vote the democratic ticket, I will let them have meat cheaper than those that vote the republican ticket." That is the words he used.

JOHNSON TELLS ABOUT THE FIRING ON CAPTAIN KEY'S HOUSE.

Mr. Johnson said Captain Key, the man that we nominated in the county for sheriff by acclamation—he says, "You don't know that some of our boys shot through Captain Key's house the other night, and put out the light;" and he says, "I am captain of a club of these boys." That is what he told me himself.

AFRAID TO ATTEND A REPUBLICAN MEETING.

Just a few nights before the election we appointed a political meeting at Captain Ross's chapel [or chaparral] for a man that was a candidate for the legislature—a colored man named David Jenkins—and we was to meet him there; Mr. Monroe and myself was to meet him there; and we learned, when we got ready to start, that Mr. Kemp was on the road, him and several others, to mob us if we passed that way; we didn't go. We learned from some of our friends that he was on the road, and we didn't go to the meeting at all We were afraid to go.

All the time during all the election there was some one passing our house, about twenty or thirty in a gang, shooting their pistols and running their horses.

Q. That was before the election, during the canvass?—A. Just like it was coming on to-morrow or next day; they were continually shooting and threatening around.

WITNESS HIDES IN THE WOODS ALL NIGHT.

I want to tell you the night that they promised to hang me—the night of the election. I staid in the woods all night long, and hid myself to keep from being murdered. That was just the state of affairs there was with me.

They tried to keep me from voting, but I had such a pluck as a republican for the rights that Congress had given us for many years past that I went there and voted; I could not have helped it if I had got killed.

Mr. Johnson told me not to vote the republican ticket there; but there was a good many colored men there at the polls, and I got to the polls and voted, and went away.

While I was there the boys came up to me and asked, "Who is running for Congress this year?" I said, "Mr. Niles is the one that is nominated as candidate on the republican ticket, and I am for him;" and I asked them what was they for?

They said, "We are for that same man." I said, "Boys, rally at the polls! we don't want to have Mr. Singleton in Congress;" and he heard me speak that much, and he told me to dry up.

Q. Who heard you speak that?—A. Mr. Johnson; he said, "Dry up; this election will tell who we want in Congress without any of your dictation; we don't want to hear anything from you at all."

Some boys told me that he said—Gray, I think, told me—that he said that he had a notion of shooting me down then; and they advised me to leave the polls.

COLORED MEN ADVISE WITNESS TO LEAVE.

Q. Who did?—A. A good many colored men; they were afraid that they would get up something, and they advised me to; they saw so much intimidation used toward me. They thinks a great deal of me, as being a man of God and of the truth, and so on; and they like me and didn't want to see me murdered, I suppose.

"THEY RODE ABOUT AND SHOT ETERNALLY."

Q. You may state whether or not, on the night before the election, armed white men rode extensively over the county; and, if so, tell what they did.—A. They rode about and shot eternally; they was always doing so, passing.

Q. About how many would be in a gang?—A. I remember one night I saw about fifteen passing through Judge Stone's place. They came right past the house, and when they got there they held up their pistols in the air like that, [indicating,] and fired them off, and hollered and hooted, and disturbed his family, I suppose. I know that they disturbed me.

Judge Stone used to be a member of the legislature here and he didn't run this last time at all.

MANY NEGROES DID NOT GO TO THE POLLS—THEY FELT IN DREAD.

Q. From what you know of the colored people of the county, are there any of them, and, if any, how many, in your county who were prevented from voting by the intimidation that you have mentioned?—A. Well, I could not tell you how many; there was a good deal I knew didn't go to the polls on this account; that they felt in dread, if they went to the polls to vote, and a good many would not go, and the executive committee empowered me to go around and let them know that we didn't think—that was the idea of the committee—that we didn't think there would be any disturbance at the polls to-morrow.

They said, "O, you can't fool me; I ain't agoing there;" and some I know of was afraid to go over right around us there, because they said that they had been told by their employers that if they went they would not mind them any more than a stranger when they got to shooting, or something like that.

ABOUT THE THREATS OF SHOOTING AT THE POLLS.

By Mr. BAYARD:

Q. Who were the boys that told you that they thought of shooting you at the polls?—A. There was a man by the name of Scott Jones, lives at Mr. Savage's, told me; and Mr. Emmet Savage told me himself.

Q. Did anybody tell you so? I mean, did the person himself, after you got to the polls?—A. O, no, sir; but they that heard it and told me was right at the polls.

Q. This was said by Mr. Johnson?—A. Yes, sir; W. G. Johnson.

Q. He was the man that did all the talking to you?—A. No, sir; Dr. Holland said that I must not give any of his hands any of these tickets.

CAPTAIN KEY MIGHTY WEAK-KNEED NOW.

Q. Who is Captain Key?—A. He was the republican candidate for sheriff of Madison County.

Q. Who was elected sheriff of Madison County?—A. Our former sheriff was elected.

Q. What was his name?—A. R. J. Ross.

Q. What were his politics?—A. He has been republican; I could not tell you what he is now. He is mighty weak-kneed now, I think; or at least he has been, through fear.

Q. He was elected, however?—A. Yes, sir; he was elected. The democrats said that nary another Yankee should hold that office except Ross; they liked him, and finally they compromised and ran Ross, and said that they would vote for him, or something or another like that.

Q. Who was Captain Key?—A. He was a merchant there at Calhoun Station.

Q. Where did he come from?—A. Came from Indiana, I think.

Q. Captain Ross was a northern man?—Q. Yes, sir; a Pennsylvanian.

Q. Had been a republican leader there?—A. Yes, sir.

Q. And was elected at this canvass?—A. Yes, sir; was elected by 3,900 votes, I think he got.

Q. Did you see a blow struck at the election that day?—A. I don't think I did.

ONE ACT THAT WAS VIOLENT.

Q. Did you see any act of violence that day at the polls?—A. Yes, sir; I seen one act I think was violent; I don't know whether it was or not, but what I thought was, and that is, that some colored people had democratic tickets, and republicans were on some of those tickets for the county officers; and on the ticket was two democrats running to the legislature, Stebbins and Yellowly; and they scratched off Stebbins and Yellowly, and another man that was running for justice of the peace, and when they scratched them off they handed the ticket to the inspector to put into the box; and Mr. Priestley ran and took the ticket from them and he threw it away and didn't let it enter the box, because it was scratched. That was one thing that I thought was violent.

Q. Who was this?—A. Mr. Priestley.

Q. Who was he?—A. I think he was a democrat; I know he was.

Q. Was he a judge of the election?—A. No, sir; I don't think he was one of the judges at all.

Q. Who were the judges of election?—A. I remember Mr. Luke Weller, Mr. Lee Dinkins, Ambrose Archer——

Q. Who was Luke Weller?—A. He was a republican.

Q. A white man or black man?—A. White.

Q. Who was Dinkins?—A. A white man.

Q. What were his politics?—A. He was a democrat.

Q. Who was Archer?—A. Archer was a colored preacher.

Q. Was he a republican?—A. Yes, sir.

Q. There were two republican and one democratic judges of the election?—A. Yes, sir.

Q. Who was the person who took the vote in his hand—received the vote when you came up to the polls?—A. To put it in?

Q. Yes, sir.—A. Now another one—I forgot to state that—was on that board too; Mr. John Dickerson.

Q. Who is he?—A. A democrat, too.

Q. Was he a judge also?—A. He was there as a clerk or something.

Q. Who took the ticket out of your hand?—A. I handed it to Mr. Dickerson; I did myself when I went there.

Q. Was he sitting back of the box?—A. Yes, sir; right back of the table.

Q. You saw your vote put in the box?—A. Yes, sir.

Q. Did Mr. Dickerson take it?—A. Yes, sir; he took it. He took the tickets and he handed them to Archer, and he put them in the box.

Q. Was Archer the person to put the ballots in the box?—A. Yes, sir.

Q. When these other people you speak of went up to vote who had scratched their tickets, had taken off some names and put some others on?—A. No; they hadn't put any others on——

Q. To whom were the ballots handed?—A. Mr. Priestley took them.

Q. Who was he?—A. A white man who lives about a mile or a mile and a half west of the station.

When they were putting in these scratched tickets they said—they told the colored people, "The leading republicans of this county has compromised with us to run one ticket; and we have done this for the whole and sole purpose of carrying that out."

Q. Who told you that?—A. The democrats were talking at the station.

Q. Did you hear them say that?—A. I heard them say that.

PRIESTLEY GOES AROUND INTERFERING.

Q. I want to know what Priestley had to do with the election?—A. He just himself went around interfering, and said no tickets should go in the box—no scratched ticket should go in the box; that they had to vote the tickets just as they were there.

Q. Was he an officer of the election—a judge?—A. No, sir.

Q. Had he anything to do with the reception of the votes?—A. I don't think he had; I know he hadn't; and the reason is, because these men I told you was all that was appointed there.

Q. The box was on the table?—A. On the table.

Q. These colored men had voted before, had they not? I do not mean at that same election; I mean in other years.—A. Yes, sir.

Q They knew how to vote?—A. Yes, sir.

Q. Did they not know who were the officers of election?—A. They knowed it; but I am going to tell you the truth: I don't consider there was any election in the State of Mississippi last fall, because I was afraid to think; I was even afraid to say how or what I was agoing to do, or anybody else in this State.

THE PEOPLE WERE AFRAID EVEN TO TALK.

Q. Now, will you go back to the facts of the election as they occurred to you, as far as you know?—A. The colored people wanted to talk with Judge Cunningham about it; but Judge Cunningham, it seemed to us, wanted to keep out of the way. He was afraid to say anything to them, and he just kept out of the way; just kept walking until he got out of the way, and kept from saying anything. I reckon he felt afeared that they would think he was telling them something. He didn't give them any advice, didn't say anything to them. The people were afraid even to talk.

Q. Was Captain Ross one of your leaders at that time?—A. He had been.

Q. Had you voted for him before?—A. I voted for Captain Ross, I think, four years for sheriff.

THE COMPROMISE NOT ACCEPTABLE.

Q. Well, this compromise having been made up by Captain Ross and Judge Cunningham and others, it was not acceptable to you, nor to the colored people?—A. No, sir.

Q. And you wanted to vote a separate ticket?—A. Yes, sir.

Q. When you went up to the polls was there any attempt to take your ticket?—A. Mine?

Q. Yes; did any of the judges object to your ticket?—A. No, sir; none of them there on the board didn't interfere with us at all.

PRIESTLEY THREW AWAY ALL TICKETS HE DID NOT LIKE.

Q. When the other people went up to vote, what prevented them from handing their tickets to the judge as they chose to, just as you did?—A. When they handed it to the judge, Priestley would take it and read it, and if he found anything on it that he didn't think was right, he would throw it away.

There was a man by the name of Eli Cole spoke to me about it twice. He says, "Why, see that man throw that ticket away." I says, "Look here, man, don't say anything to me; this ain't no election now."

THE REPUBLICAN JUDGES DID NOT SAY A WORD.

Q. Did the republican judges of election make any objection to this?—A. The republican judges didn't say a word.

Q. You had Mr. Weller and you had Mr. Archer?—A. Never said a word; I don't know as they noticed it; everybody was frightened. I don't know that they noticed anything like that.

Mr. Luke Weller, he was always just as friendly as he could be to me, but on that day he didn't have time to talk to me; had nothing to say to me, not a word.

Q. Who is Priestley?—A. A white man.

Q. What is his full name?—A. I forget his other name, but I think Tom Priestley was his name.

Q. What is his business?—A. A farmer.

Q. How far from there does he live?—A. He lives a mile and a half, I think, west.

Q. Was he a candidate at that election for any office?—A. No, sir.

PRIESLEY'S BUSINESS WAS INTERFERING WITH EVERYBODY.

Q. Had he anything to do, as an officer, with the election at all?—A. No, sir—yes, sir; he was interfering with everybody—Mr. Kemp and all of them.

Q. Did you know the colored men, whose tickets were taken from them by Mr. Priestley?—A. No, sir; I didn't know the men at all; I don't know very many men, any how, in the county.

Q. How many tickets did you see taken in this manner by Mr. Priestley?—A. I was standing and looking, and there was several that scratched their tickets. I know about fifty of them scratched their tickets and got them in before this party found out. I know I saw them scratch them before they voted. There is Mr. Gray, a colored man, he scratched off all the county officers except one, I believe, and when he voted——

Q. Did he vote that ticket?—A. Yes, sir; he voted the ticket all scratched off like that.

Q. You had a straight ticket of your own with nothing but republicans on it, and you voted the straight ticket yourself then with Captain Key on it?—A. No, sir; Captain Key was not on it—Captain Ross. My object in voting was more for Mr. Niles than for anything else.

Q. You voted for whom you wanted to on that day?—A. Yes, sir; Mr. Niles and the State treasurer, Buchanan, I think.

Q. Did you vote for whom you wanted to on that day?—A. Yes, sir; I voted for whom I wanted to.

Q. Did you see these tickets that Mr. Priestley took and tore up?—A. He never tore them up; he just threw them down.

Q. Just dropped them on the ground?—A. Yes, sir.

Q. Did you see them?—A. Yes, sir.

Q. Did you pick them up and read them?—A. I saw them myself.

Q. Did you pick them up and read them?—A. I didn't go to him after that.

MR. KEMP MAKES THREATS.

Q. How many tickets were torn up?—A. There were four. Mr. Kemp said that if our men was elected there would not be a Yankee alive in the State in three weeks.

Q. Who is he?—A. A man who lives on Mr. Hyke's place.

WITNESS MADE POLITICAL SPEECHES.

Q. Did you make any political speeches during the canvass?—A. I made about fifty, I reckon.

Q. All over the county?—A. Yes, sir; at several places in the county; not all over. I was at the county convention and made a speech up there, I believe. We could not hold even a county convention in Madison; we had to go out in the woods and hold our convention; we could not hold it at the county-seat without being interfered with.

CONVENTIONS HELD IN THE WOODS FOR FEAR OF TROUBLE.

Q. Did you try to?—A. Yes, sir; the chairman called it there, and then we had to go about five miles in the woods.

Q. At what town was that?—A. Canton.

Q. Who were there?—A. Captain Ross and Captain Key and most of the leading republicans,

Q. Where did you adjourn to?—A. To a place—Mat. Richards's place.

Q. How far away?—A. About five miles.

Q. Why did you not hold your convention in Canton?—A. We expected that there would be a riot or something of that kind.

Q. Captain Ross came with you?—A. Captain Ross went out there.

Q. Did Judge Cunningham go with him?—A. No, sir; I don't think he was there. Captain Pratt was there.

Q. Why did you go out from Canton; what was done at Canton that led you to go out?—A. There was nothing done to us at Canton the day the convention was called, but on the day before the convention, as I understand, it was said that the colored people was coming in to whip out Canton, and they armed up themselves and guarded around Canton all night to prevent the darkies from coming in. They said that they heard our club was coming into town to whip them out. I was at home asleep at the time.

Q. That was what you heard was expected?—A. Yes, sir.

Q. That did not take place?—A. That was what was done before the convention.

Q. Did you hold your convention at this place, five miles from Canton, on the day it was to have been held in Canton?—A. Yes, sir.

DID NOT SEE ARMED MEN TO PUT HIM IN FEAR.

Q. Was there any one present in Canton whom you saw threatened on that day?—A. No, sir; I didn't hear any threats, but this was jus' interference.

Q. Were there any bodies of armed men there that you saw that you in fear that day?—A. No, sir.

Q. Was there anybody assaulted or hurt that day, of your friends, or anybody in Canton?—A. Yes, sir; a man that day. came back from the convention.

Q. I mean before you went.—A. No, sir; I never heard

self. I just went right in Canton, and went right on out through, on the road leading north.

Q. You saw nothing in Canton to cause you to fear?—A. No, sir.

Q. Did you hear anything in Canton that frightened you?—A. I didn't hear nothing of the kind that time.

Q. About how many tickets did you see Priestley take from the voters and throw on the ground?—A. I said I thought there was about three or four.

ELI HUNT—MADISON COUNTY.

COLORED MAN'S EXPERIENCE.

JACKSON, MISS., *June* 20, 1876.

ELI HUNT (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live in Madison County.

Q. How long have you lived in Madison County?—A. I was bred and born in Madison.

Q. How old are you?—A. Going on forty-two years old.

Q. Where were you during the political canvass before the last election?—A. I have been in Madison ever since I was mustered out of the Army.

Q. Did anything happen to you last fall?—A. Yes, sir.

WITNESS SHOT.

Q. Tell what it was.—A. I was shot in Madison County, about eighteen miles from here. One ball went right through the right side of my hat, and one ball is now in the middle part of my back.

Q. Who shot you?—A. Johnny Neal shot me.

Q. Who is Johnny Neal?—A. Old Barry Neal's son.

Q. A white man?—A. Yes, sir.

Q. A democrat?—A. Yes, sir.

Q. How old is he?—A. I don't know. I knowed his mother before she was married. We were raised here in Madison County together.

Q. Is Johnny Neal a young man?—A. Yes, sir.

HOW THE SHOOTING OCCURRED.

Q. How did he happen to shoot you? Tell us all about it.—A. I was coming from Livingston County; Captain Key was to speak there that day, and he invited me up to Livingston.

Q. What club met at Livingston?—A. The rebel club met there.

Q. What month was this?—A. I could not tell you exactly the month it was, but it was about a week before the voting was; that Tuesday night before the voting; the next Tuesday was voting.

Q. Had Johnny Neal been up at the meeting of the club?—A. Yes, sir.

Q. Where had you been that day?—A. I had been in the field picking cotton.

Q. What took place between you and Johnny Neal that he shot you? Did you have any quarrel?—A. Not a word.

Q. Where were you when he shot you?—A. About twenty feet from him.

Q. What did he say to you when he shot you?—A. He hailed me before he shot me. He was lying about as near to me as to that window,

under the dark of the trees. I was going along singing, and he says, "Who is that?" I says, "Eli." He says, "Eli Hunt?" and I says, "Yes;" and he walked right up to me—he had his pistol out in his left hand—and put his hand on my shoulder, and says, "You are the very buck I am looking for."

When I looked in his face I knowed him. He says, "I want you to go to Vicksburgh with me to pick cotton."

I said, "I have got as much cotton in the field to pick as I can pick."

He says, "You are the very buck I am looking for. You are Captain Devil of all the niggers in Madison County. They would all vote the democrat ticket if they didn't fear you."

I said, "I have nothing to do with any person but myself. If they vote the democrat ticket I don't want them to come around me, for I am not going to have nothing to do with them; I don't want them to speak to me."

We stood and talked about twenty or thirty minutes; and he says to his company there, "All those in favor of a line"—they were going to hang me with a line—"say 'ay,'" and they said "Ay;" and he says, "Contrary minded," and they said "No;" and this John Deman he touched Captain Baskin, the captain of the club, and said, "Don't go to him with any line; if you do he will get away with the last one of you, for I knows him."

Johnny Neal turned to them, and said, "Boys, are you going back on me that way?" and Baskin said to him, "Go for him."

I just turned my head away toward Baskin and said, "You needn't talk; I know you." I knowed them every one.

He said, "Go for him," and, as I turned my eyes that way, he blazed away right at me; and I run off about ten steps from him, and he bored me right in the back. I then run off twenty steps, and they shot at me, but the bullets fell behind me and didn't hit me.

I run about one hundred and fifty yards, and got over in the orchard close by where Deman had to go—close to the stair-block; and I staid there about twenty-five or thirty minutes, with this hand up this way, [holding his hand up to his head,] to see whether Mr. Deman was there or not; and after a while he came along.

He had two very bad dogs, and nobody could go in there but him; and as he stepped over the stair-block the dogs began to bark at him, and he said "Pup," and the dog stopped barking, and he went on into the house. I went up to the quarters then.

CAUSE OF SHOOTING.

Q. Why did he shoot you; what was the trouble?—A. He said I was the cause of the rest of the colored people voting the democratic ticket.

By Mr. McDONALD:

Q. What is Captain Deman's first name?—A. He ain't no captain.
Q. Give us his name in full.—A. John Deman.
Q. Where does he live?—A. He lives seven miles from Madison.

By Mr. BAYARD:

Q. What time of the night was this?—A. Dark had not shut in.

By Mr. McDONALD:

Q. What does he follow?—A. He follows farming.
Q. Were you living on his place?—A. Yes, sir.
Q. He was with this party?—A. Yes, sir.

NEAL SOBER ENOUGH TO SHOOT.

By Mr. BAYARD:

Q. How old a man was Neal?—A. Between sixteen and seventeen years old; he is a young fellow.

Q. Was he sober, or otherwise?—A. He was sober enough to shoot; I know that.

Q. Did he have the appearance of having been drinking?—A. No, sir; he was sober enough to come up and tell me, "You are the very man I was looking for." A drunken man is not going to tell me, "You are the very man I was looking for;" for I drinks myself sometimes very hard.

OTHER MEN WITH NEAL.

By Mr. CAMERON:

Q. How many men were with Johnny Neal there that time?—A. I counted eleven men besides Mr. Neal; some of them I couldn't see.

Q. Where does Johnny Neal live?—A. Between Livingston and Vernon. His father was living at Canton.

Q. Was anything done to him for shooting; was he taken up?—A. No, sir. I went to Canton to get him taken up there; and I came here; but I could not get anything done; so I came back and made myself easy there until now.

By Mr. BAYARD:

Q. Whom did you go to at Canton?—A. To Captain Ross and Captain Pratt.

Q. Did you go to the mayor of the town, Mr. Powell?—A. No, sir; I went to the men I was sent to.

Q. You did not go to the justice of the peace there, the mayor, Mr. Powell?—A. No, sir; we had a justice of the peace there.

Q. Whom did you come to here in Jackson?—A. When I came here?

Q. Yes, sir.—A. I went to—I don't know whether it was Captain Key—a man that staid up here at Tugaloo; and he said he could not do anything about it.

By Mr. MCDONALD:

Q. Where was Captain Key?—A. In this little brick building here the other side on this street up here. He was taking down the names when I went up there.

Q. Where does he live?—A. At Tugaloo; not this Captain Key here.

Q. This Captain Key that you called to see, where does he live?—A. At Tugaloo, where he said the name of the station was.

Q. In what county?—A. In Hinds—no, in the lower part of Madison County.

GEORGE GLENN—MADISON COUNTY.

THREATS DURING THE CANVASS.

JACKSON, MISS., *June* 20, 1876.

GEORGE GLENN (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live at Calhoun Station.

Q. Where did you live during the year 1875?—A. I was living in the

upper part of Madison County, in the fifth beat; Breckville, near Yazoo City.

Q. How long have you lived here?—A. I have lived there a year or more; I went up there the last of year before last.

Q. Where were you born?—A. In Louisville, Ky.

Q. How long have you lived in this State?—A. I came out here the first year after the surrender.

CANDIDATE FOR JUSTICE OF THE PEACE.

Q. Were you a candidate for any office at the last election in Madison County?—A. Yes, sir; I was a candidate for justice of the peace for the fifth beat.

Q. Did you canvass your district?—A. Yes, sir.

Q. About when did you commence canvassing?—A. I think it was along in July some time.

Q. How large a district did you have?—A. That was something I never knew more than I heard; I heard it was the largest district in the county, with the exceptions of one.

Q. Were any threats made against you during the canvass?—A. Yes, sir.

Q. State who made them, and what was said to you.—A. When I first started for justice of the peace, the people asked me—the colored majority of them and some few white republicans—asked me to run, and I concluded to, and in the canvass it was all very calm and easy for a while; but after they found that I was going to get the nomination in the canvass, then there began to be threatening.

Q. Who began to threaten?—A. I never heard; I didn't know the names at that time.

THE MEETING AT MAGDALEN BROKEN UP.

I went on to the first meeting at a little place near Magdalen, where the clubs were to meet, and at the meeting there, I was told just about sundown, by a friend of mine, that we would not be allowed to hold a meeting there.

I told them not to be so scared, that there was no danger, there wouldn't be any; but they seemed to think there was going to be some trouble, and was very uneasy the whole time we were going on with our meeting, speaking, &c.

After a little while I heard that there was a white man outside the door, and I knowed his name very well, Henry Dick. I went out to see what was the matter, and see what he wanted. He was sitting out on his horse, hadn't dismounted at all, and he asked if George Glenn was in there. I said, "He is; do you want to see him in particular?" He said he wanted to know if he was speaking; and I said, "No; he is not speaking at this time."

He went off and we didn't see anything more of him; but afterward the bullets came all through the house. We could not tell who done it. They came up close enough in order to shoot through the house; but there didn't any of us get hurt. We all went off after that. We had no more trouble that night; we all went home.

THREATS OF HANGING MADE ON ELECTION-DAY.

Q. About what time was that; what month?—A. I could not say what time; I can tell you this, and you can judge of the month: It was just about a week or two before the district convention was held. They threatened a good deal, but then they never done any more assaults after that until the day of the election; and Mr. Tom Tucker on the

day of the election came up to me and asked me, (he used to live up there in Breckville, but he had moved over there to Yazoo County,) and came over there on the day of the election, and he spoke to me and says, "Is you out yet?" He says, "I will give you 32½ cents for your chance."

I said, "No, sir, not for $10,000; as the people have placed confidence in me to run me I am going to run until I am beat."

He says, "You will be beat anyhow, because if you get it you are a dead man and if you don't get it you are a dead man."

I told him, "Very good." I says, "All right; I am going to run anyhow."

He came up to me then and said, "What is your name?" And I said, "George Glenn." He said, "A rope will pull your neck after this campaign."

Dr. Watts came up and asked the same question, and he said, "I see you are erasing names here, and if you erase any more you are a dead man, sure."

I told him, "Well, I will do it, sure;" but Colonel Breck spoke to me and told me not to have any words at all, but whatever was to be done do it, and if I had no notion of erasing names to say nothing about it.

It passed off until night; I was not dubious at all; didn't feel any wise dubious, or think that they were going for me until that night.

IS WARNED TO LEAVE HIS HOUSE TO SAVE HIS LIFE.

I went to bed quietly, and about midnight, as near as I can come at it, a friend of mine ran into my room—I don't know how he got in, as the door was locked, but he ran right in the house and waked me up and said, "You are lying down in your sleep and they are after you;" and I jumped up without my clothes, and ran out in my drawers and undershirt into a cotton-patch, about a mile from the house, and there was there about twenty-five or thirty colored men, I suppose. They came up to notify me, and sent this one from them to tell me that they were coming up after me.

Q. Who came after you?—A. These gentlemen; it was said that they came from Yazoo; we didn't know. I suppose a portion of them was from around Breckville; but Mr. Tucker went after some of them, and he told me that evening that they had come from Yazoo, and he told me that there were 700.

They came, and they went in and didn't see anybody, and they fired—we could see them—they fired and fired into the house, and made great alarm, and as they were going off they passed closer by us than they thought they were; and I heard them say, "We haven't got him now, but we will get him if he lives in this beat."

HAS LEFT HIS BEAT ENTIRELY.

From that and the threatening that had overtaken me and proceeded after me once or twice, I left the beat; came out of it entirely.

Q. When did you leave the beat?—A. I left there the last of November or the 1st of December; I think it was the 1st of December.

Q. And where have you lived since?—A. I have been living in Calhoun, or within a mile and a half of Calhoun.

Q. What are you doing?—A. I am a missionary for Madison County.

Q. What disturbances were there in the county, if any, by armed men riding through the county and firing off guns and pistols prior to the election?—A. I am very glad you spoke of that, too.

IS FIRED ON NEAR COLONEL BRECK'S.

One evening I was coming from Colonel Breck's—I lived with Colo-

nel Breck—I was going from Colonel Breck's; his houses stand about in different lots on the plantation, and I was going over to a neighbor's house. There had been a large dinner in Canton, and there was a speaker there from Alabama, and everybody appeared like met him there, and they invited me to go too, but I didn't go; and as they were going I heard a great deal of hooting and hollering.

I was walking down the road, and as they got up against me one of them said, "Who is that?" and unthoughtfully I spoke quick, "It is George Glenn, Colonel Breck's head-waiter." I was alongside of Colonel Breck's pasture, and there was oats growing pretty high, and when I said, "It is George Glenn," I reckon there were four or five pistols discharged against me, and I fotched over the fence, and ran on my hands and knees about a hundred yards, and laid down in the oats. They went on up the road, and I could hear them yelling and shooting.

Q. About how many were in the company?—A. About twenty.

ALL WHITE MEN IN THE SQUAD THAT THAT FIRED.

Q. All white men?—A. Yes, sir; all white. Some that were in that crowd I knew. I knew all of them except one. I didn't know their names, but one was E. L. Hargon's son, and another was young Mason. I knew them; they were in that club.

Q. Were they all armed?—A. I don't know whether they were all armed or not, but it didn't appear to me that all of them discharged their pistols at me; I don't think there was more than four or five, but they did fire.

Q. Were they all on horseback?—A. Yes, sir; they were all on horseback; but every colored person that I saw at the club that night when we assembled said they were fired at that night.

Q. How many colored persons were at the first meeting that you have spoken of—that club meeting?—A. Well, I think there were about twenty-five or thirty. There may have been more or less, but, I think, there were about twenty-five or thirty.

WHY THE CLUB MEETING WAS HELD.

Q. What did they meet for?—A. The convention was to meet, and the black people were to decide how they were to vote. They had been threatened so much that they could not vote as they wanted to, and we were mostly speaking whether we should vote at all or not.

They wanted to hear any colored man that was any kind of a leader among them. They always wanted to hear his sentiments about it; we would meet and talk about the matter.

By the CHAIRMAN:

Q. Do you know the white man that came from Alabama to speak?—A. No, sir; I don't. I never went out myself. I have heard of his name, but it has slipped my remembrance.

Q. Do you know whether it was Taylor or not?—A. No, sir; I don't know as I would know it now if I was to hear it again.

PERSONAL RECORD.

By Mr. BAYARD:

Q. When did you first come to Madison County?—A. In this county at all?

Q. Yes, sir.—A. I came out here immediately after I was disbanded, the first year of the surrender. I was disbanded in New Orleans, and came right up here with Colonel Hoyt.

Q. You were a private soldier?—A. No, sir; I was a sergeant. I was

first line sergeant. I have the papers now. I belonged to the Fourth Louisiana Colored Cavalry.

Q. What was your occupation when you first went to Madison County?—A. Cooking.

Q. For whom?—A. Colonel Hoyt employed me the very day I was disbanded to come out here to cook for him.

Q. Who was Colonel Hoyt?—A. I don't know, sir; his home, he said, was in New York; and he bought the Ned Richardson place—it is the same Mr. Richardson that lives up here on a hill near the camp; and he came down there and got forty-eight of us at once, and in the forty-eight he got me for his cook.

I cooked for him the first year; then I moved from there the next year out here, back to Mr. Nelson's, in the next hotel, [in Jackson,] and I was steward for him for twelve months.

Q. Then what did you do after that?—A. I went back up near Calhoun and lived with Colonel Warner; he employed me. I have been there ever since, until year before last I was employed up at Colonel Breck's. I staid there with him until after he sold his place; and he recommended me to Colonel Breck for waiter, and Colonel Breck sent for me, and I went to him and I staid with him a year, and he went North last year and I took care of his place until he returned, and after the election was over I had to go away. I didn't want to leave Colonel Breck at the time I had to leave him. I wanted to stay with him, but I could not stay there.

Q. Who is Colonel Breck?—A. He was chancellor; I don't know whether he is now or not.

Q. In what capacity did you live in his service?—A. I was body-servant.

IS SUPERINTENDENT OF COLORED BAPTIST CHURCHES IN MADISON COUNTY.

Q. Of what church are you a missionary?—A. Well, the county pays me $700 to just superintend all the regular organized Baptist colored churches in the county, and that is some thirty-nine, I believe, in Madison County.

Q. And that is your present occupation?—A. Yes, sir.

Q. Where did you vote that day?—A. I voted at Breckville.

Q. You spoke of threats being made before the nominations were made.—A. Yes, sir.

IS THREATENED BY HARGAN.

Q. From whom did those threats come?—A. Well, the day that I was coming up to the convention Captain Postley [Priestly?] was justice of the peace then, and a couple of other gentlemen, I don't know their names, was with him; says he, "Glenn, I will give you a hat and a new shirt if you will withdraw. I believe you are going to beat Mr. Hargan to-day." I said, "Yes, I am going to beat, sure." He said, "Well, if you do beat him, he will beat you worse than that."

We went down there sure enough, and they tried their votes two or three ways, but we beat him every time, and Mr. Hargan was the very man, himself, that stepped up to me and shook hands with me after the nomination was over.

Q. Were you running against him for the nomination?—A. Yes, sir; he said, "You beat me; did you?" I told him, "Yes, sir." He says, "It will never do you any good."

I told him, "If I beat, you was to treat, and if you beat, I was to treat."

He says, "I don't know whether you will get home a live man or not; I will not trouble you, but you will be troubled."

Q. Was he a republican?—A. Yes, sir; he said he was before I beat him, and then he came out and told exactly what he was.

Q. What did he say he was?—A. Said that he was a democrat and had always been a democrat.

He said, "What a fool I would be if I would not disown what I was for money, like many others has done. Now I will tell you what I am."

Immediately after that we held a meeting at Camden, and he spoke again.

Q. Did this conversation take place at the republican nominating convention?—A. Yes, sir; he just called me out with the club that he had—there is several of them Hargons together, and there is a great many colored people on their places, and all of them followed him, and he just got me encircled with them; and it was right on the ground, and he spoke right there that day; and the colored people that lived with him were just as much in his behalf as they could be, and I had but very little to say.

Q. What was Hargon's first name?—A. E. L. Hargon.

Q. Were you attending the republican convention when you met him there?—A. Yes, sir.

Q. How many votes did you get, and how many votes did he get for the nomination?—A. I beat him more than three to one in the nomination, and would have beat him at the polls—he was on the ticket after the compromise was made—I would have beat him then by erasing his name, but they came up and threatened that anybody that voted for me, in the presence of Mr. Hargon, would not get home alive.

Q. How came Mr. Hargon to be at a republican convention?—A. He said that he was a republican then, that he always was, in his speeches; that he had voted for Ames, but never said anybody else, and always spoke against him.

Q. Did he make speeches at republican meetings?—A. He made only one. He came there and asked us to let him speak, and the very night that he did speak was the night that this Henry Dick came there; but as soon as he got through speaking he went off, and this riot took place immediately after his going away; then we feared to let him speak with us any more.

TOM TUCKER.

Q. You say that on election-day Tom Tucker came to you?—A. Yes, sir.

Q. Where does he live?—A. In Yazoo County. He belongs up at Brookville, but he is living now in Yazoo County.

WITNESS THREATENED WITH A LITTLE OF THE YAZOO TOUCH.

Q. Where did he vote at that election?—A. I heard him say that he didn't vote there. He said on the ground, "I don't vote here, and it is a good thing for you I don't; if I did, I would give you a little of the Yazoo touch"—threatening us with what had been done in Yazoo County.

Q. The election in Yazoo took place the same day as in Madison County?—A. I don't know.

Q. Do you not know that it took place the same day all over the State?—A. I thought so, but I didn't know then. He was over this side all that day, I know.

Q. What did he say to you?—A. He asked me my name, and I told him, "George Glenn;" and he says, "Are you going to erase any more names here?"

I told him that I should erase the names if the men asked me to do it. He said, "All right; you can go ahead and do it if you want to, but after this campaign hemp will pull your neck;" and Dr. Watts repeated the same words right after him; said the same thing.

Q. Where does Dr. Watts live?—A. Near Breckville; he is a doctor around there.

ABOUT THE VISIT TO HIS HOUSE.

Q. Is he a practicing physician?—A. Yes, sir; around Breckville.

Q. How old a man is he?—A. I judge him to be right aged.

Q. Who was it came to your house, and on what evening was it that you was so disturbed and driven out of your house?—A. It was the very evening of the election.

Q. The night of the 2d of November?—A. Yes, sir; it was the very night the election was, because they were counting the ballots then.

Q. You had gone home and gone to bed?—A. Yes, sir.

Q. Who was it came to your house?—A. The young man that came and woke me up was Wiley Morgan.

Q. What was he?—A. A republican.

Q. A colored man?—A. Yes, sir; he came and woke me up and told me of the difficulty.

Q. What difficulty?—A. He says to me, "Them men that said they were going for you, they are coming here now. I don't know how many there is, but they told me there were three or four hundred."

Q. Who were in your house then?—A. There was nobody in there then. There was a young man that staid with me, named Andrew Horton, that was with me at Colonel Breck's, but he was not there then.

Q. When you left your house, whom did you leave there?—A. Nobody.

Q. Who came to your house after you?—A. Now, I could not tell that; but I know there was a great many. I could not tell who it was, but after they came we could hear them in the house.

Q. How far off from the house were you?—A. I reckon we were about three-quarters of a mile, or a mile. We could hear them in the house, and after they went away they discharged——

ABOUT FIFTY GUNS FIRED.

Q. What could you hear them doing in the house?—A. Just blundering about; seemed as if they were walking around and throwing things about. After they went away and got about 100 yards from the house they discharged, I reckon, nearly fifty guns.

Q. Do you know what they fired at?—A. No, sir.

Q. How far were they from you then?—A. They were coming right toward us.

"WE WILL HAVE HIM IF HE LIVES ON THIS BEAT."

Q. But how far away from you were they when they discharged their guns?—A. This was back of the house where we were laying; how far from the house I could not tell, but they came close enough by us where we were lying in that cotton-patch for us to hear the words that they said: "We didn't get him, but we will have him if he lives in this beat."

Q. How far is that cotton-patch from your house?—A. I got right over the fence from my house, but it ran a good ways back; it was a very large place.

Q. How far were you lying from the house?—A. About three-quarters of a mile or a mile.

Q. How far from the road were those men that time that you heard

them say this?—A. They were a mile from the road; they were not at the road, because they left the road when they came to my house.

Q. Which way did they come when they came to the house where you live?—A. They had to go right out of the road in the field.

Q. Do you mean that they were riding through the cotton-field after they left the house and fired their guns?—A. The road turns and goes by—there is a lane that passes from the road up through Colonel Breck's plantation, and his plantation is fenced under two or three different fences. They went around up the lane here—here sets a row of houses on one side and a row on the other side—they rode through the fence right over through the cotton-patch, and rode up here in this lane, and there they came right up to my house.

Q. The place where you were lying in the cotton-patch was three-quarters of a mile from your house?—A. Yes, sir.

Q. And these men got about one hundred yards from the house, as you supposed, when they discharged their guns.—A. Yes, sir.

WE LAID AS LOW AS WE COULD.

Q. After that did they ride up the road?—A. It was not in the road they were then; they came in the fields entirely. They took down the fence; they didn't go back by the road, we don't suppose.

Q. Did you lie down on the ground?—A. Yes, sir.

Q. Did you rise up at all when they were going along?—A. No, sir; we laid as low as we could.

Q. Did you see their number; how many of them were there?—A. It was said there was one hundred; there was all of one hundred.

Q. Did you see one hundred men?—A. That is my remembrance now; I could not count exactly one hundred; but there was all of that, I think.

Q. What time of night was this?—A. At the end of it was about 2 o'clock, but I was woke up as near 12 o'clock as I can think of.

Q. Then what distance did they pass to where you and these men were lying?—A. I reckon it was about as far as that upper depot; near about that distance, [pointing to railroad-depot.]

Q. Say about how far it is?—A. Some two or three hundred yards.

Q. From where you were lying?—A. Yes, sir; they talked loud; and they yelled and they hooted. They were not secret with it at all; they just talked all they wanted to about it.

ABOTT PRIESTLEY GOING OVER TO THE DEMOCRATS.

Q. Who is Captain Postly? [Priestley?]—A. He used to be a justice of the peace.

Q. He is not now?—A. No, sir; not now.

Q. Was he running?—A. Yes, sir.

Q. Where did you meet him?—A. Right at the store; there was where he held his office.

Q. By which party was he elected?—A. The republicans elected him at that time.

Q. Was he in office during that time?—A. He was a republican and owned to be a republican then, and did up until last election.

PRIESTLEY CRIES LIKE A CHILD—HIS WIFE NOT A REPUBLICAN.

Q. And he went on the compromise ticket?—A. No, sir; he came out and said that his people was down on him because he had been a republican; that his wife was not a republican and hence he was not going to be any longer. They invited us to their meetings, and he cried like a child and asked me to come in.

WANTS WITNESS TO GO OVER WITH HIM.

Q. Who did?—A. Captain Postly [Priestley?]. He cried like a child and took my hand—he came and offered me his hand and said that he had been the prodigal son and I had well be too, and come in and join him; but I told him no, I could not do it, and he persuaded me a long time.

Q. What made him cry like a child?—A. I suppose because he had been a republican so long, and the democrats was holding such meetings and appeared to be enjoying themselves so, because he had got back to them. He tried to have all of us go along with him.

By Mr. McDONALD:

Q. You say his wife was a democrat?—A. Yes, sir.

Q. Then he was coerced by her?—A. I reckon so; I knew her very well before he had her.

HANNIBAL BRITTON—MADISON COUNTY.

INTIMIDATION AND NIGHT VISITS.

JACKSON, MISS., *June* 20, 1876.

HANNIBAL BRITTON (colored) sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Madison County, Mississippi.

Q. How long have you lived there?—A. Thirty-one years.

Q. In what part of the county do you live?—A. Out to Calhoun Depot.

Q. You may state whether any armed men went to your house before the last election.—A. There ain't no mistake at all, they did come there to my house about two weeks before the voting was; they come about sixteen men—white men.

ASKED TO GO TO STONE'S AND FOOL A YANKEE MAN OUT.

I was living out in an old field, and they called me out of my house in my drawers about 11 o'clock in the night; and when they called me out one of them stood his sixteen-shooter up to my door, and they took me away from my house and carried me off a piece from my house, and told me that they wanted me to do a favor for them.

I asked them what it was; and they said that it was for me to go to Judge Stone's house and fool Mr. Monroe, a Yankee man that staid at Mr. Stone's, down in the woods, on the road that goes to a place by the name of Campbell.

WITNESS TELLS THEM THAT THE MAN HAS GONE.

I told him that I could not do that, and I did not know whether Mr. Monroe was at home or not; I did not think he was at home; that I seen him go toward the depot to take the train to Jackson.

They said, "Well, if he has gone it is all right;" that they had given him five days to get away in.

THE SAME PARTY SHOOT AROUND KEY'S PLANTATION.

They comes back then, these sixteen men, and this one that talked to me steps up and takes his gun from my door, and goes on back to his horse, and gets up on his horse, and they goes on then down toward Captain Key's store, down toward Calhoun Depot; and when they got down there they shot all around there in the plantation, in the quarters, and scared the

women and children most to death. Some of the shots went all around there. They kept it up until just about daybreak, when they brought the horses in and put them up in the stable.

Then some of the colored men seed the mud on the horses and knowed it was them. None of these colored men didn't know that they had been up to my house; nobody knew about it on that place until the next day. I told it the next day, and I told Captain Key he better look out for himself. They said they didn't want nobody but Monroe, and Captain Key, and Charlie Williams; and they said they did not want to kill them, but wanted to mob them.

HEARD THE SHOOTING AFTER THEY LEFT THE HOUSE.

That is as far as I know what they done at my house; and the shooting, I heard it all around there after they left my house; and that is as far as I can give any testimony about it.

Q. Were these sixteen men all white men?—A. Yes, sir; every one of them.

Q. Who was Mr. Monroe?—A. A Yankee man; he staid at Judge Stone's; he used to stay down here at Jackson.

Q. Was he a republican?—A. Yes, sir.

Q. What was Captain Key?—A. A republican.

Q. Who was Charlie Williams?—A. He was the same.

Q. A white man?—A. Yes, sir.

Q. Those three men attended the colored clubs and spoke to them?—A. Yes, sir.

KNOWS TWO OF THE MEN.

Q. Do you know who any of these sixteen men were who came to your house?—A. I know two of them, sir; the others I don't know; one was named Ridge [or Rich] Kemp.

R. Where does he live?—A. On Mr. Hyke's place, that stays in Pennsylvania. Mr. Kemp stays on his place, about a mile back from Calhoun Depot. There was one other, named Everett Blue, Mr. Blue's son that stays in Canton, Miss.

The others I did not know; they stood off while these two were talking to me, with their guns in their hands.

Q. How long before the election was that?—A. Two weeks. They told me not to tell that they were after these men. That was Friday night, two weeks before the election; and on Saturday morning I went down to the depot, where Captain Key keeps store down there, and tells him about these men.

He says, "All right; I knew they were riding up and down the road last night, shooting. They kept up this riding and shooting all night through town, and just before the darkies began to turn out to go to work they just rode home and put up their horses."

YOU COULD RAKE UP THE CARTRIDGE-SHELLS.

You just could go and rake the cartridges up in the road. I raked them up in my hands—the caps—where they fired them off and threw them away.

How I came to know there was sixteen of them, I counted them and the horses when they were passing me, and I never went back until the last man went past me. They ran my dog smack into the house with a gun.

Q. Where is this Mr. Monroe?—A. He has gone, sir; he has gone to Memphis.

MONROE THREATENED UNTIL HE LEAVES.

Q. How soon after the election did he go away?—A. They talked with him and told him to go away, because they were after him, and they didn't want any fighting at the polling-box. We expected that if he came on the ground when we were voting that they would kill him; and we knew that he was a mighty good man, and the colored people were not willing that the democrats should jump on Mr. Monroe and kill him, nor any other northern man there.

There were only twenty white men, and two or three hundred of us, and they tried to make us vote this compromise ticket, and we would not do it. There were so few of them there that they could not make us, and we did not have any fuss. We just voted and went back home, and had nothing to say to them.

Q. Did Mr. Monroe go away before the election?—A. Yes, sir; before he would vote the compromise ticket he said he would leave and go away.

Q. What do you know about Charlie Williams?—A. He was there at the depot.

Q. Is he there now?—A. Yes, sir; he and Captain Key—they voted after I did.

Q. This Charlie Williams lives there?—A. Yes, sir; right at the depot, where Captain Key's store is.

VOTED STRAIGHT RADICAL TICKET.

Q. Which ticket did you vote?—A. The radical.

Q. You voted the straight ticket?—A. Yes, sir, the straight ticket.

A PREACHER VOTED THE DEMOCRATIC TICKET.

Q. Did the colored people vote with you?—A. Yes, sir; they all voted that way but one, and he was a preacher; he voted the democratic ticket, and so we just had no more to do with him; turned him off, and would not have anything more to do with him, and would not hear him preach, or do anything else any more for us.

I seen him vote that. He went around to the door and slipped a ticket to a man by the name of Priestley, a democrat, and he doubled it up and slipped it in the box; but all our radical tickets he opened, every ticket, and looked at them, and he did not open this democratic ticket and look at it.

Q. Who were the judges of the election?—A. A man by the name of Lee Dinkins was at the table, and Ambrose Archer was one, and Mr. Priestley was one at the box; he was the one that put the tickets in; and another little northern man what stays in Canton with Mr. Jeffrey; I forget his name.

Q. How many of these judges were republicans?—A. There was not but three there; Mr. Cunningham, he was on one side of the table, and Ambrose Archer on the other side.

Q. Was Judge Cunningham a judge of the election?—A. Yes, sir; he was on one corner and Ambrose Archer on the other side, and this Yankee man that stays at Canton, he was the one that wrote our names down in the book.

Q. The election was conducted by republican judges?—A. Yes, sir.

Q. Did you poll a full vote that day?—A. Yes, sir. Well, we had Mr. Singleton on our ticket, and they started to have a little fuss about that because this Ples. Powell was scratching his name off our tickets—Mr. Singleton's who was up in Canton.

Q. He ran for Congress?—A. Yes, sir; he has gone to Washington now. They wanted us to vote for him; that was what brought the disturbance up.

READY TO JUMP THE PREACHER.

Q. How many colored people voted for him at that election?—A. There did not but one, that preacher.

Q. You got rid of him right after that?—A. Yes, sir; we were ready to jump him there quicker than we did them democrats, because he went back on us.

WOULD NOT LET THE PREACHER GO INTO THE PULPIT AGAIN.

Q. You turned him right off?—A. Yes, sir; we would not let him come into the church any more; would not let him go into the pulpit, and would not hear his voice any more.

Q. Because he voted that ticket?—A. Yes, sir; he voted the democratic ticket for a barrel of flour and pork; and he took his wagon and went to Canton, after the election, and they would not give him any; they cussed him. He came back to town, and has been without anything since.

By Mr. McDONALD:

Q. What was that preacher's name?—A. John Brown.

Q. Where did he come from?—A. From Virginia.

THEY GAVE THE PREACHER A DRINK AND HE VOTED DEMOCRATIC TICKET.

Q. How long before the election did you learn that he was going to vote the democratic ticket?—A. We heard it two weeks, but we did not believe it; and we said, "We'll see when he goes to the poll-box;" and we watched him. There was about two or three hundred of us radicals, and we watched him, and we seed him vote that ticket.

Q. When you found out that he was going to vote the democratic ticket what did you say to him?—A. We asks him about it and he said there was no such thing at all.

Q. He was afraid to acknowledge it, was he?—A. Yes, sir; and when he went to the poll-box they had a gallon of whisky there hid, and they gave him a drink; and I saw him when he went up and put his ticket in.

FOUND HIM OUT TO BE A LIAR.

Q. When you found out he voted the democratic ticket what did you say to him?—A. We told him that we had found him out now; that we had proved him out to be a liar now, and we had no further use for him any more than we had for the democrats; we just counted him the same as we did democrats.

C. W. WILLIAMS—MADISON COUNTY.

TROUBLES DURING THE CANVASS.

JACKSON, MISS., *June* 20, 1876.

CHARLES WALTER WILLIAMS sworn and examined.

PERSONAL RECORD.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Calhoun Station, Madison County.

Q. How long have you lived there?—A. It is over three years since I came there.

Q. Where did you live before that?—A. Lincoln County it is now; it was Copiah County when I lived there—at Beauregard Station, on the railroad.

Q. How long have you lived in this State?—A. Since the fall of 1859.

Q. Where did you come from to this State?—A. Tennessee.

Q. Where were you born?—A. In Smith County, Tennessee.

Q. Have you held any office in this State?—A. Yes, sir; I have held one.

Q. Name that.—A. Justice of the peace.

Q. When did you hold that office?—A. I was elected in 1873, and my term was out last fall, or at least in January when the term expired.

WAS A CANDIDATE FOR JUSTICE OF PEACE.

Q. Were you a candidate for any office last fall?—A. Yes, sir.

Q. What office were you candidate for?—A. I was candidate for the same office; for justice of the peace, the second time.

Q. Which political party did you belong to?—A. The republican.

Q. Were you the republican candidate in that beat last fall?—A. Yes, sir; I was one of them.

Q. Where were you during the political canvass before the election?—A. I was at Calhoun Station—near there. I live about a couple of miles, or nearly a couple of miles, from the station; but my office is at the station, on the railroad. I was there at the station every day. I was not away from there out in the campaign. I was not out any at all in the county until the district convention.

Q. You may state what occurred at the convention.—A. Well, sir, the first convention there, the district convention, the republican convention, we went there and nominated candidates for the district offices, and then we also nominated delegates to the county convention. Everything passed off very quietly there. There was not any trouble at all at the district convention.

Q. When did the trouble commence?—A. The trouble that I knew anything about commenced before that.

HOW CLUB MEETINGS WERE HELD.

Q. You may state what trouble you know anything about; tell the story in your own way.—A. Just a while, a few weeks, before the district convention, there were republican meetings held around there—a few meetings—one every ten or fifteen nights. On every second Monday night they held their clubs, and would get together and have a meeting. I attended some of them, but I did not go to all of them; sometimes I went and sometimes I didn't go.

THE CALHOUN CLUB HAD AN INVITATION TO MEET THE MADISON CLUB.

They had quite a number of members, I believe 160 or 180, in the club that I visited sometimes; and they had an invitation—this Calhoun Republican Club, as it was called—had an invitation from another club in the same district—the republican club at Madison Station, three and a half miles this side of Calhoun Station by rail. It is the lowest station on the road.

There were two meetings there on Saturday—I have forgotten the day of the month; I did not make a note of it. The Calhoun Club met at Calhoun Station, and they started from there down to Madison Station to this hall where they were to meet there.

WITNESS INVITED TO ATTEND THE MEETING—FINDS A DEMOCRATIC MEETING BEING HELD THE SAME DAY.

I was invited by the president of the Calhoun Club to attend this

meeting down at Madison Station. The hall was about half a mile from the station—a few houses there. I went down to this place, and the same day that I went down there the democratic party had a meeting. They held their meetings right in the station; right in a little hall. I didn't know when they held them, or where.

When I went down there, I rode on past this club; I had some business, and I wanted to get my horse shod, so I went on ahead of the club and went into town and hitched my horse in a blacksmith-shop, and went across the railroad to a little store.

THE CLUB MARCHED INTO MADISON WITH MUSIC.

By the time that I had got through my business in the store, the club had got into town. They did not know where they were to go; they had not met any parties from this other club to tell them where to go. I saw them pass right through the station, beating their drums and marching through four deep.

After they had passed through they were informed that the meeting was to be on the other side of the station toward Calhoun Station, about half a mile from the depot, so they turned around and went back the same way they came.

They kept their music up. They had a couple of very sorry drums and a fife or so. They went on back. I did not go back with them; I staid there until I got my horse shod, and I saw a number of gentlemen there that I knew. I had staid at Madison Station very near a year before that; had been employed by the railroad company at the station, and I walked up to them and spoke to them. Some of them spoke to me and some of them didn't.

One young man said to me, "Don't you speak to me;" and I looked around and I did not know what he meant. I saw who he was, and I asked him, "What is the matter, sir?"

He says, "Any white man that will go around with nigger clubs is too low to speak to a gentleman. I don't want you to speak to me, and you better leave this place. We don't want any of your club or any of your denomination with us;" or something to that amount. I never said anything; I turned around and walked back.

ADVISED TO GET THE CLUB TO GO AWAY TO AVOID TROUBLE.

Then another gentleman approached me and says, "You ought not to come here if you knew that we were to have a meeting."

I said, "I did not know anything about it; I am not posted at all on the meetings. I don't know who has meetings, or where they have them at all. They were invited down here and I was invited to come to this station to the meeting, and I was expecting to go past here to some other place; I knew that the republicans didn't have a hall in the station here."

He said, "My advice to you is to get your club, if you have any control or influence over that club, away from here just as soon as you can. I am a conservative, and I tell you that because I am not acquainted with you; but I see how the boys are feeling here, and I don't want to see you imposed upon, and my advice is that you get away, and if you can get your club to go away, do so."

I said that if I could get them away of course I would tell them to go. I said, "I am very sorry that we came into the station to-day at all."

"THE BOYS ARE DRINKING SOME, AND WE CAN'T DO ANYTHING WITH THEM."

He says, "That is all right, if you will only get away as soon as you can. These boys are beginning to talk now; they are drinking some and we can't do anything with them."

THE CALHOUN CLUB GOES BACK.

So I left there and went back to where this republican club had stopped and informed them what this gentleman had told me, and they all just got on their horses and in their wagons and left and went back to Calhoun Station again.

After that everything was pretty quiet. They had their meetings, but they did not visit another club at all. They still held their meetings where they had speaking, in a little old church, for some time.

WITNESS ADVISED NOT TO GO TO MADISON AS THEY WOULD HANG HIM THERE.

A few days after that there was a gentleman left the station there, and was at Madison Station; he lived near Calhoun Station, and he went down to Madison Station and heard a good deal of talk down there.

This is what he told me: he says, "Williams, I am a friend to you, and I think you are a good, honest man, and I want to tell you something for your own benefit." "Well," says I, "I am much obliged to you; what is it?" He says, "You better not go to Madison Station any more at all; you had better stay away from there entirely, for the boys down there"—he did not call any names, and I did not ask him—"the boys says the first convenience that presents itself they are going to hang you to the nearest limb."

Says I, "Mr. Kemp, what are they going to do that for?" He says, "I don't know, only this: They say you are a southern man here, and they dislike for any southern man to affiliate with the colored republicans. They think you ought to go with the southern country yourself, and with the southern boys. That is all I know about it; but it is not safe for you to go down there."

GOING TO CARRY THE ELECTION IF THEY HAD TO DO IT WITH WINCHESTER RIFLES.

He told me that as a friend, and he is a democrat. I thanked him for it, and I did not go back any more to Madison Station. I was at work for him running an engine at the time.

I don't know anything else then until they had the registration there. They came around with the board of registrars to register everybody, and the day of the registration there was a great many men there that I had never seen, from the different parts of the county, and a great many—not a great many, either, but a few of them—had their guns there with them. They did not do any shooting, though.

They were talking around the mill, where I was at work running the engine. They said that they were going to carry the election, no matter about the registering or anything else.

I could not call any gentleman's name that said that, but I heard a great many talking that way. It was raining that day, and quite a number were in the mill-house where I was at work.

They said they might register all the niggers in the county, but it was not going to do them any good—"we are going to carry this election if we have to do it with Winchester rifles;" but there was no difficulty at all that day; everything was peaceable.

That was before the canvass—after the convention was over.

After the candidates were nominated I went to their meetings, where the man who had been nominated for sheriff had a meeting and was to speak, and I went to hear what he had to say.

MEETING BROKEN UP, DRUMS TAKEN, NEGROES ARRESTED AND FINED.

The man that was nominated for the senate, I was with him once or twice; and on one occasion when they had a meeting—there was not very

many there; I suppose fifty in number—and that evening they broken up the meeting, and when they broken them up they disbanded and started for home, and the colored men on their way home were arrested, and their drums taken from them and smashed up, and they were put in jail and fined.

I saw the sheriff the next day, and he said they were fined $75; I think there were three or five fined, I am not certain which.

The way I found it out I was in Canton; I was there with the nominee for sheriff on the republican ticket, Captain Key. There had been some reports out against him, and he asked me to drive up there with him, because he had a good many friends up there, both democrats, and republicans, and he didn't want such reports to go out; he wanted to straighten the thing up before it got any further.

They asked him if he said so and so; they said, "If you did say so and so, we are going to make it mighty hot for you." They said, "We don't want to hear any such talk as that, and we wont have it."

Q. What did they charge him with saying?—A. That it would take the blood of twenty democrats to carry the election at Calhoun Station. It was reported that he had said that in his speech; and we went up to see the gentlemen of Canton about it.

He did not fear to meet them because he knowed he hadn't said it, and he told them that he could bring a good many witnesses from both blacks and whites to prove he didn't say any such thing.

WE FOUGHT THE WORLD FOUR YEARS.

They said, well, that was all right, but if he said so and so it would be mighty hot for him in Madison County. And they says, "We are not afraid at all, for we fought the world for four years"—one of the young men said that; "and we know how to use Winchester rifles pretty well."

He says, "Well, I did not say so. If you are not satisfied you can call any man that heard my speech, and if they say I said so it is all right."

FIRING IN THE NIGHT AT CANTON STATION.

Then, after that, a little while just before the election came off, I think it must have been about the last of October—I am not certain that it was in October, but it was the same night, though—just before the election—that we returned from Canton about 11 o'clock at night; and two or three men rode by the station between 11 and 12 o'clock, and when they got opposite the station they fired four or five shots right opposite the store there; and I was staying in the store then myself, and the agent and another gentleman.

It was an unusual thing to hear firing in that way. We had gone to bed, but we got up. The horses never stopped; they seemed to be going at a fast gait, and they never stopped.

We got up and stood by the fire a while; it was a very cool night; and about an hour and a half, I think it was, to the best of my recollection, they returned again, and on their return they fired three or four shots, though they never struck the house with any at all, and never halted at all, but kept their horses going until they got about one hundred and fifty or two hundred yards from the depot; then they stopped. They shot there, I suppose, three or four different times again. That was the only firing that had taken place around the station; it hadn't been done before that or after that.

MEN LEFT THE POLLS THROUGH FEAR OF TROUBLE.

Q. Was there anything else connected with the canvass or election

that you know of? If so, you can state it.—A. I don't think I recollect anything else—excuse me; on the day of the election, when there was parties there—democrats and republicans—distributing tickets around, I saw a great many young men down there, and I did not feel very safe.

There had been a compromise in the county, and myself and a good many of my friends' names who were candidates had been taken off the ticket and others inserted. So I did not take any part in it, only in the congressional part. I voted for a man for Congress and district attorney and treasurer, and that is about all I done.

But I seen men leave that were distributing tickets, and I asked several of them the reason they were leaving, and they said that they could not distribute them; that they had been told that if they didn't stop distributing those republican tickets and scratching any names off they would not get home alive.

Q. Were these colored men?—A. Yes, sir; and one white man distributed tickets also.

By Mr. McDONALD:

Q. What was his name?—A. J. C. Cunningham; he told me that himself. He was distributing tickets there, and he said that he was told that if he done it it would not be well for him.

WAS NOT A MEMBER OF THE CALHOUN CLUB.

By Mr. BAYARD:

Q. Were you president of the Calhoun Club?—A. No, sir; I was not.

Q. How many members were there in that club?—A. I think the biggest number was about one hundred and sixty-eight, if I recollect.

NO WHITES IN THE CLUB.

Q. How many went down to Madison on that occasion?—A. There were not more than 25, I think.

Q. Were they chiefly colored people?—A. Yes, sir.

Q. Any whites in the club?—A. No, sir; there were no white members of the club at all.

Q. All black?—A. All black; yes, sir; and this one that we went out there to visit was a colored club.

Q. Who was the young man that said he did not want anything to do with you because you came with negroes?—A. Mr. Bartley.

Q. A grown man?—A. Yes, sir; a grown young man; I don't know his age. I have seen him once or twice. I have seen him often enough to be acquainted with him. I had been to his house before that.

Q. No trouble or disturbance on that day beyond what you have mentioned?—A. No, sir.

Q. Where did you vote?—A. I voted at Calhoun Station, in the third district.

Q. Any obstruction to your voting as you pleased?—A. No, sir.

Q. Did you see anybody that day prevented from voting?—A. Only as I spoke of; that they were sent away and drove off, as they told me.

Q. Did you see anybody prevented from voting that day?—A. No, sir; I did not.

Q. Did you hear of any act of violence that day?—A. Only that fact. There was no violence attempted to me or anything of that sort.

Q. The vote polled was a pretty full one that day?—A. Yes, sir; tolerable; not as full as usual, though. I think I heard that there were 400 short from what it was at the election before.

Q. Were you an officer of the election?—A. No, sir.

Q. How long did you stay at the polls?—A. I did not stay there any time more than I could walk over to that hotel over there, and go right back.

Q. You didn't go out again on the election-ground?—A. No more than passing by it to go home.

PRIESTLEY'S CHARACTER.

Q. Do you know a man named Priestley?—A. Yes, sir.

Q. Who is he?—A. A man that lives there—a farmer.

Q. Did you see him at the election, around that day?—A. Yes, sir.

Q. Did he have anything to do with the election?—A. I think he was one of the clerks, or something.

Q. Were you at the polls any length of time?—A. No, sir; I did not stay around the polls at all; I just voted and came away.

Q. Is Mr. Priestley a respectable farmer there?—A. Yes, sir; as far as I know, he is a very nice man.

Q. A man of character?—A. Yes, sir.

Q. A man disposed to be disorderly or do violence to anybody?—A. No, sir; he is not. I have known the gentleman ever since I have been there. He lived within one mile of the station. I have met him several times, and I always found him to be a very nice man; very, indeed.

Q. Did you ever hear any threats of violence of any kind on Mr. Priestley's part toward anybody?—A. No, sir.

DID NOT LIKE THE COMPROMISE.

Q. You were displeased, were you not, because of this compromise which shut you off from your place on the ticket?—A. Not from that alone, because I did not care anything about the office again; it did not pay me anything; but I was talked to and persuaded by some of my friends there to take it, and I told them of course if I was nominated I would do the best I could, but I would not do anything to be nominated; and I did not. They just run me anyhow; put me in as the nominee.

Q. Were you in favor of that compromise being made?—A. No, sir; I was not. I knew of its going on, but I was not called upon to sign anything or have anything to do with it, because I did not want anything done with it.

The executive committee had a meeting, but I don't know who were the leaders of it; but as far as I could learn about it, in that meeting the compromise was made somehow.

HAD TO COMPROMISE OR BE KILLED.

Q. The compromise was made by the executive committee of your party?—A. They said that they had a meeting and called in democrats to participate in it. I don't know the cause of their compromising, only this far: the chairman of the executive committee told them that they had either to compromise or just be killed, that was all.

Q. How near were these people who fired these pistols off to the store?—A. The road runs within fifteen or twenty feet of the platform. There is a big platform around it, same as all other depots.

Q. There was no difficulty about shooting into the store if they desired to?—A. Of course they could have hit the house. I don't think they shot at the house at all.

Q. They were just discharging their pistols into the air?—A. Yes, sir; just shooting them; didn't hit any house at all.

SO USED TO SEEING MEN WITH PISTOLS THAT IT WAS NOT NOTICED.

By Mr. CAMERON:

Q. Did you notice whether the young men of whom you have spoken,

who were at the election on election-day, were armed or not?—A. No, sir; I could not state only one man; there was one man that had a pistol—no, sir; that was, I think, on registration-day.

Q. Did you notice whether they had pistols or not?—A. No, sir; I didn't one. I was so used to seeing men with pistols hanging below their coats I would not notice it hardly, for I might see it every day; every man I met, pretty near, had a pistol.

S. P. KEY—MADISON COUNTY.

NATURE OF THE CANVASS.

JACKSON, MISS., *June* 20, 1876.

S. P. KEY sworn and examined.

PERSONAL STATEMENT.

By the CHAIRMAN:

Question. Captain Key, where do you live?—Answer. In Madison County, Mississippi.

Q. How long have you lived there?—A. I have been there since December, 1868.

Q. From what place did you come?—A. I went from Vicksburgh to Madison County, and I went from Tennessee to Vicksburgh.

Q. Of what part of the country are you a native?—A. The State of Iowa.

Q. Did you come South in the Army—in the service?—A. Yes, sir; I served four years in the Army. I went to my State and was mustered out there, and came here in the winter of 1865–'66, after I was mustered out.

DID NOT WANT OFFICE.

Q. Have you held any office or place of trust in Madison County?—A. No, sir, I have not. I might say this, that during the military *régime* here I was appointed justice of the peace without any request on my own part, and I acted in that capacity for a short time; I don't know the length of the time. But I could not neglect my other business for it, and I gave up the office. I never asked for the office, and I did not want it.

Q. What has been your business in Madison County?—A. I have been merchandising, and dealing in stock, and planting—raising cotton and corn.

NEVER TOOK PART IN POLITICS.

Q. Have you taken any part in politics?—A. No, sir; I have never taken any part in politics. I think I never attended a political meeting until the last campaign; if I have, I don't recollect it.

Q. Had you any means of knowing what took place in political affairs in Madison County during the year 1875?—A. Yes, sir; I suppose I had.

WAS INDUCED TO BECOME A CANDIDATE FOR SHERIFF.

Q. State to the committee in your own way what took place, in your estimation.—A. I had the misfortune, having served in the Federal Army, to have been induced by my friends to accept the nomination for sheriff. I think it was unfortunate. I was nominated for sheriff at the nominating convention of the republican party.

I had never been connected with the party, and had been, in fact, connected with no party; had had nothing to do with politics.

TALKED TO THE PEOPLE A LITTLE.

I took some interest in the campaign, and I attended some of the political meetings, and made some speeches; talked to the people a little; told them what I thought was for their interest, and what I considered their duty.

Q. At what places did you attend meetings?—A. In various places in the county; I don't know that I can state all.

Q. Was there any disturbance at any of those meetings, or anything that was unusual, in your estimation?—A. I think not. The meetings I attended were early in the campaign. At the beginning of the campaign everything was frank, and there was perfect confidence and perfect good feeling early in the campaign.

I might go on and state to the committee my position and my standing in the county, so far as my own judgment is concerned, before the nomination and before my candidacy for sheriff, and my condition and position afterward. I should think that would be the best.

WAS WELL RECEIVED AND HAD MANY FRIENDS.

Q. Just go on and state it as you desire.—A. I will just state this: I had been in the county 6 years, and had had nothing to do with politics, and I feel confident in saying that I was as well received and had as many friends among the native white democrats as any northern man who was in the Federal Army in the county, and perhaps in the State. I say it for the reason that I was well received wherever I met gentlemen of the democratic party. I had dealings with them of every kind, and never had any trouble at all. Everything was settled satisfactorily and amicably.

I never had anything to do with politics; did not attend political meetings, but remained quietly at home and attended to my business strictly; and I had, as I have said, as many friends, perhaps, as any other man in the county among the native democrats. I think so, and have good reason for thinking so.

ALWAYS A DEMOCRAT UNTIL FORCED TO BE A REPUBLICAN.

I never had been a republican, gentlemen, allow me to state to you. I was born a democrat, and have been a democrat all my life until I came south, and circumstances forced me to be a republican, and I am a republican now in good faith.

DID NOT SEEK THE OFFICE OF SHERIFF.

I was induced through my friends Captain Ross, the present sheriff, and Mr. Pratt, who was then district attorney, and others in the county, to accept the nomination for sheriff. I did not seek it at all; I had no idea of politics, and did not want to get into it. I was living quietly, and was doing a very fair business, and was quite comfortably off. But I accepted the nomination for sheriff; was nominated without any trouble; and at the time when I was nominated, and when my name was spoken of as a candidate on the republican ticket, I had a great many democrats speak to me and say they were perfectly satisfied with me, and would vote for me.

I said to them—I didn't do it in any spirit of discourtesy, and they so understood it—"Gentlemen, I thank you for your kindness, but I don't want you to vote for me, for if you vote for me I think you will take away from me ten republican votes for every democratic vote you give me."

DEMOCRATS EXPRESS SATISFACTION AT HIS NOMINATION.

The colored people in this county were a little sensitive, and for that

reason I said this; but when I was nominated, quite a number of democrats told me just what I have said, "If they would only put such men as you on their ticket, we would be satisfied; we would have no objection."

I went into the campaign. The meetings opened, and I attended some of these meetings; I don't know how many. I made some little talk to the people; told them what I thought their duties were; to be quiet, to be orderly, to be good citizens, to respect themselves, and vote the ticket of their choice.

THE DEMOCRATS SOON CHANGE AND LOOK DAGGERS.

A short time after I was nominated they got up a great deal of excitement there in Canton, and the same gentlemen that had been very courteous and very friendly and very cordial with me did not speak to me at all; they looked daggers at me; they looked most ferocious and threatening, no mistake about that—men, too, that I considered my friends. I was treated in that way all the time up to the time of the compromise, and even after that.

COLONEL WARNER PROPOSES TO VOTE REGARDLESS OF CONSEQUENCES.

On the day of the convention the demonstration was so great that I did not stay over there. A telegram came from Colonel George here to friends of Colonel Warner, who was associated with me in business. They telegraphed over to his friends that trouble was apprehended; that his life was in danger if he attempted to vote on the day of the election. They insisted that I should not tell Warner of this telegram, but let him go and vote, and they would try to prevent any trouble.

When Colonel Warner was going to the polls to vote there was a gentleman met him and told him—I did not stop to hear what he had to say—he showed him this telegram that they had received from General George here, the chairman of the State democratic executive committee.

Colonel Warner told him that he proposed to exercise his rights as an American citizen, regardless of consequences; that he was going to vote his ticket; and he walked on and voted, and came back into the store.

I think that is about my experience. There are other things I might speak of.

Q. Were there any demonstrations at Canton at any time of a riotous character during the canvass?—A. Yes, sir; there were demonstrations, several of them; I think three or four.

A CRAZY WOMAN HOLLERS THAT THE NEGRO CLUBS ARE ARMING—THE WHITES ARM.

Q. As far as you know about that, will you state what occurred?—A. The first demonstration I know of—the citizens told me of it, as I was not there—a crazy woman went up and down the road whooping and hollering that the negro clubs were coming into town to kill all the whites. There was no foundation for anything of that kind, or if there was I have never heard it. But the citizens there got arms, and the district attorney and sheriff told me that they had very hard work to keep things quiet and orderly. That was the first demonstration that I know of.

FALSE REPORTS OF WHAT WITNESS HAD SAID.

During my canvass for office, by some means or other they got out a great many reports of things that I had stated; that I had advised the negroes to arm themselves and kill the white folks and hold the offices, and all that sort of thing.

The first statement of that kind that I recollect of was to the effect

that, in conjunction with Colonel Warner, I stated that if the democrats got the offices, we would arm the negroes and take them forcibly. That was told in Canton by an intelligent democrat—that we had said such things.

There was at that time an arrangement made to get rid of Colonel Warner; and I don't know what they were going to do with me.

I HOPE YOU WILL HAVE MANHOOD ENOUGH TO DENY IT.

I came home one Saturday evening, and this was told me Sunday morning. I hitched up my horse and buggy and drove right to Canton. I went to the man there who had made this statement, and I said, "Now, you know me very well, and I assure you that neither Colonel Warner nor myself ever said such things as have been reported of us. You are entirely mistaken and I hope you will have manhood enough to deny it;" and he said he would, and I went home. That was on Sunday; I don't know what it amounted to.

ANOTHER FALSE REPORT.

Some time after that they started out the report, and they were betting money freely upon it, that I had issued a circular telling the negroes that they must be up and armed, and that we had to have the blood of so many democrats on the day of the election; that I had issued this circular and sent copies of it all around the county; and they said they could be obtained.

SHERIFF ROSS BLUE WITH FRIGHT.

I heard that, and I was sick at the time, but I drove to Canton again. The first man I met was Captain Ross, the sheriff. I told him my business. Captain Ross was evidently very much intimidated. He came to me blue with fright, though he is as brave as other men.

He said, "For God's sake, say nothing; we are on the eve of a riot, and every man of us may be killed; don't open your mouth."

But I thought there were some of those men of fair enough minds to listen to me, and knowing that I never said any such thing, I proposed to meet them.

I sent for Mayor Powell, and Colonel Calhoun, who is now district judge, and Colonel McFarland, and I don't know who were the others, but there were some others that I considered fair and honorable men.

TOM SINGLETON PROMISES "TO MAKE IT HOT" FOR WITNESS.

In the mean time, I met young Tom Singleton, a young lawyer there, and a son of the present member of Congress. We had always been very good friends, and I had frequently met him there and in different parts of the State, and I considered him a personal friend.

I said to him, "Tom, I want to see you; I think you are a fair-minded man, and will listen to the truth."

He said, "Key, there are some things I have heard, and be damned if I don't make it very hot for you."

Says I, "Stop, and just listen to me. I don't want to talk politics; I want to show you that those reports are not true."

He said, "By God, we will make it very hot for you." I said, "I want you to hear my statement. Will you go with me and hear it?"

He said, "Yes, I will go." I said, "Very well, now I want you to come."

WITNESS INVITES PROMINENT DEMOCRATS TO MEET HIM—THEY DO NOT COME.

I sent for those gentlemen, Mayor Powell, and others whom I considered fair-minded, moderate men, to come; but they did not come. I

asked Colonel Powell to-day the reason why he did not come, and he said he did not get word.

Both Colonel McFarland and Colonel Calhoun were certainly told. They are both good citizens and good men; but neither of them came.

The day before this, there had been a little meeting at the church near my station and probably 150 people were there or such matter, and I made a little speech to the people; it was just a sort of exhortation to be quiet and orderly and polite, and to be careful how they went to the polls; to go quietly and orderly, and not to get up any disturbance, and not to talk to anybody, but to vote the ticket of their choice, and then go home.

They had a drum and fife, and on their way home that night they were arrested and their drums cut up. I don't know but this has been told you; but this is what they told me: They were met by a lot of armed white men, who said to them, "You know that Captain Key said that he was going to have the blood of twenty white men."

AN EFFORT TO START ANOTHER FALSE REPORT.

They denied, of course, that I had said any such thing; but they said, "If you don't say that Captain Key said so, we will kill the last son-of-a-bitch of you;" and they put pistols to their heads, and they took the men and carried them on to Canton. They cut up their drums—I suppose that is well understood—and they put them in jail and fined them.

This morning that I had gone up to Canton to correct this lie about my issuing that circular, that we must have the blood of twenty white men to carry the election, was the morning after these men were taken up and put in jail.

THE MOB, LED BY SINGLETON, GATHER AT THE SHERIFF'S OFFICE.

This crowd—I call it a mob, and you could not call it anything else—Mr. Singleton, and several others whom I supposed were gentlemen, were in it, and several others that I had had some confidence in—expressed their sentiments quite undisguisedly, with one or two exceptions. Dr. Holland was there, and he acted very fairly.

I was sitting in the sheriff's back-office. Sheriff Ross had left, and he had left because he thought there would be trouble. This mob came along to the sheriff's office, and young Singleton said, "Here we are, by God; now we want to know what you mean." I said, "I don't want to say anything until the parties that I called for are here, and when they come I want to show them that there is no truth in these reports in circulation."

They said, "Here we are; we are ready for you."

I said, "Walk in here, gentlemen; I don't want to make this thing public at all; just walk in and sit down."

They came in and took seats around the office.

Young Singleton made some very threatening speeches, and was very insolent and overbearing. He was somewhat intoxicated, and I don't think the young man was hardly aware what he was about.

WE HAVE FOUGHT ALL THE WORLD FOR FOUR YEARS.

He said, "We have fought all the world for four years, and we have got the Winchester rifles, and we are the laddie-bucks that know how to use them, and we are ready to fight if you want to fight."

I took him by the shoulder and said, "Tom, sit down; I did not come here to insult you, neither do I want to be insulted by you. Just take your seat, if you please," and he sat down.

THE PROMINENT CITIZENS SENT FOR DO NOT COME.

I asked them if they would not send for Colonel Calhoun, Colonel Mc-

Farland, and Mayor Powell, and they said that they would send out for them. I don't know whether they sent or not; I think not. Anyhow, those gentlemen that were expected did not come, and they were not there at all, and I have since understood that they did not come for the reason that this crowd, this mob, were coming, and that they thought there would be trouble, and they did not want to be in it. That is the reason. I have understood, that Colonel McFarland and Colonel Calhoun did not come.

Singleton got up a second time and began a tirade of abuse, and I took him by the shoulder a second time and told him to sit down and wait. He sat down a second time, but after waiting a few minutes he jumped up again and talked about Winchester rifles, and used the most threatening and insulting language a man could use; and I put my hand on his shoulder and said to him again, "Tom, sit down," and he did sit down.

I was convinced that the parties I had sent for were not coming up there, and, believing that serious trouble was likely to arise, I concluded to make a statement to them.

WITNESS'S STATEMENT TO THE MOB.

I said, "Gentlemen, I have met you here for the purpose of trying to convince you that there is no truth in the statements which have been made as to what I have said."

Just then a couple of men came walking in with their money out—$20, $50—and they were betting that I had issued this circular, and that a copy of it could be shown.

THE MOB WOULD NOT LISTEN.

I went on to show that I had done no such thing at all, and had never had any intention or desire to do it. I think that they were convinced that I was honest and told the truth; their manner impressed me that they thought so; but they would not listen to me; they did not want to be convinced; and they got up and left me sitting there.

WITNESS GOES TO GET HIS HORSE.

I then went across the street and started down to the stable with a young man who was with me, Mr. Williams, to get my horse. I saw this same crowd of men standing at the saloon, drinking.

They had a negro with them, a colored man who had been an old slave of Mr. Singleton's. He was in the room with them quite drunk when they had been at the sheriff's office.

I had intended to go across the street to a drug-store, but seeing these men there I said, "Never mind, I will not go to the drug-store;" and we went to the stable.

The city marshal was sitting there, and I said, "How do you do, Mr. Wethersby?" and he said, "How do you do?"

I told some person in the stable to hitch up my horse, and they hitched up my horse, and I paid my bill.

WITNESS INSULTED BY A DRUNKEN NEGRO.

While this was going on this negro—George Singleton was his name—came into the stable very drunk, and one of these parties with him, and he was also intoxicated.

This negro said, "Captain, I want to see you." I said, "Very well, George, you can see me;" and he came up toward me and staggered against me, he was so drunk.

I said, "Now, George, I understand this thing exactly." I noticed in the mean time, (I think I covered the situation exactly,) that as soon as

these parties made their appearance, the marshal quietly slipped off. I said to the negro, "I don't want to talk to you now, but if you will come to see me I will explain to you, and I will show you my position, and show you what I said;" and I told the stable-man to hitch up my horse and buggy.

I said to the stable-man, "Mr. Lilard, hitch up my buggy; I don't want to have any trouble; I want to get away as soon as I can. I wish you would hitch up my horse, and I will pay you my bill and go."

The negro said, "I don't like this way you white men have of talking to the negroes one way and coming in and telling the white people another thing."

I said, "George, I don't want to talk to you; I don't want anything to say to you now, you are drunk; just go on away from here. If you want to talk, you go home and get sober, and I will talk to you."

He called me a liar and threatened me; and in the mean time this man who had come there with him from this crowd was sitting on his haunches in a stall watching everything; and there were also one or two others outside there.

I have been told since by good citizens that this negro was paid $25 to go there and begin a row. Mr. Lilard, the stable-keeper, told me so himself.

We finally got into the buggy and I put the horsewhip on my horse and we rode down town. It was then early in the evening. I was not again disturbed.

SHERIFF ROSS REPORTED DISTURBANCES IN CANTON.

Q. Were there any disturbances in the town of Canton that you know of?—A. I don't know; I don't live in Canton; I live seven miles further. There was a demonstration that day in Canton, firing and shooting in the streets all day; and Mr. Ross, the sheriff, told me that he was entirely powerless to make an arrest; could not do anything; and would not have dared to do anything, and he asked me not to have an interview with these men. But I told him I was going to see Colonel McFarland and Colonel Calhoun, though I did not see these gentlemen at all.

THE COMPROMISE WAS MADE THROUGH FEAR.

Q. What led to the compromise, as far as you know, captain?—A. Well, I don't really know; my friends told me that they were looking out for my interest, to save my life, and the lives of others; that is all I know about it. Mr. Pratt, Henry Smith, and Captain Ross told me this. I think myself that they were very much intimidated; that they were probably unduly scared.

ONE HUNDRED BALES OF COTTON AS A BARRICADE.

I was scared enough myself to have one hundred bales of cotton placed as a barricade around my place, and to be ready for my defense; but I was not that badly scared that I sacrificed my principles; but I was intimidated enough to be ready for defense, and I believe that that was the reason they did not attack me, because they knew I was pretty well prepared. They rode by my store and fired off their guns without stopping.

Q. You think the persons representing the republican party who made the compromise were intimidated; was there any occasion for it?—A. O, yes; they were intimidated; they were the most scared men I ever saw in the world.

THE LEADING REPUBLICANS PERFECTLY INTIMIDATED.

I had never had anything to do with the party before; but the lead-

ing men of the party there, Mr. Ross, Mr. Pratt, the district attorney, Mr. Henry Smith, and Mr. Jeffrey, the chancery clerk, were the most perfectly intimidated men I ever saw under any circumstances.

Q. What is the situation of affairs there now?—A. I think the feeling is somewhat going down; at least going down so much that a great many of my democratic friends now speak to me and talk to me. It has certainly gone down that much.

PROMINENT DEMOCRATS DID NOT DENY INTIMIDATION, BUT JUSTIFIED IT.

I have talked with several prominent democrats there, and they don't deny that there was intimidation in the county, but they justify it from the condition of the State government, the corruption of the State government, and so on. They say that they don't deny that there was intimidation, and I don't think that any reasonable man could deny it at all. I don't think any reasonable man could be there and know the condition of things there and not think there was intimidation at the election, when the county of Madison elected the compromise ticket by about 800 majority, and the county ought to have gone 2,000 republican majority.

MANY NEGROES DID NOT VOTE.

A great many of the negroes did not vote. I voted myself, but there was a great deal of demonstration at the polls, I am told; but I did not see that; I was not there except when I went to vote, and then I went right away. I did not want to be there in any riot or row. I did not speak to any person, and did not make any delay at the polls, but walked up, put my vote in, and went away.

SINGLETON WAS DRUNK.

By Mr. BAYARD:

Q. How old is this young man Singleton?—A. He is, I think, about twenty-five or twenty-six.

Q. Is he in the habit of drinking?—A. I think he is a little dissipated, but not excessively. At this time I certainly think he was intoxicated. I think he was under the influence of liquor. He was not, when he first spoke to me in the court-house; but he went out in company with these men, and the man who said that I had issued that circular—that a copy of it could be shown—he was so drunk that he could not sit up when he came in.

Q. He was the man that was to prove that you had issued that circular?—A. That was the understanding when I went there. He came in so drunk that his head was lopping over his shoulder, and slobbers running out of his mouth, and he called on them to prove that he was a good citizen.

WAS NOT IN THE COMPROMISE AT ALL.

Q. You were not concerned in the compromise?—A. No, sir; I was not in the compromise at all. I don't know anything about it that I could swear to of my personal knowledge.

Q. Ross was in the compromise?—A. Yes, sir.

Q. Judge Cunningham was in the compromise?—A. Yes, sir.

Q. Both of these men had been in the Army?—A. Judge Cunningham never was, except, I think, he was a paymaster's clerk. He never was in the military. Captain Ross served in the Army.

Q. You made the remark that when you were talked of for the nomination several of your democratic friends stated to you that they would vote for you for personal reasons, and you told them that you did not

want them to vote for you?—A. I told them just in the manner I have stated.

THE NEGROES SUSPICIOUS OF DEMOCRATS.

Q. That you thought it would lose you ten republican votes where it gained you one?—A. Yes, sir.

Q. Was that said in reference to the negro vote?—A. Yes, sir.

Q. Do you believe that their feeling is so strong that they would not support ——?—A. I believe that they are a little sensitive on these things, a little suspicious; I believe that if they were to see democrats voting for me they would make up their minds that I was not the proper man; that was the idea I had, and still have.

Q. You thought that if the democrats voted for you you would lose more republican votes than you would gain from the democrats?—A. I felt that way; I thought that the votes that I could get on the other side from the democrats would be more than counterbalanced by the votes that I would lose on the republican side.

Q. Does that come from any feeling of bitterness that the negroes have toward white men; that they would not even vote for a man who was receiving democratic votes?—A. As I said before, they are inclined to be suspicious, and if there was a man who seemed to be indorsed by the democrats they did not want him. I think if they saw democrats voting for a man they would naturally think he was not a very sound republican.

GOOD CHARACTER OF DR. HOLLAND.

Q. You mentioned the name of Dr. Holland as a gentleman?—A. Yes, sir.

Q. How long have you known him?—A. I have known him ever since I have been there, I think.

Q. What kind of a man is he?—A. I have just said in my statement in reference to that mob of men in Canton that I think Dr. Holland endeavored to be fair-minded. He was sober, and I think he accepted my statements; and he said, "You have no right to doubt Captain Key's statements; he has acted honorably."

Q. Does he occupy a high position in society there?—A. I think he does. I think he is in good standing. I have never had any business with him. He is a planter. I have simply known him—met him.

Q. Have you had very much conversation with him?—A. No, sir; no intercourse with him only as I met him occasionally.

Q. Is he a profane man in conversation?—A. I don't know; I could not say as to that; I don't think, however, that I have heard him use any profane language.

Q. Is he a gentleman in his manners and bearing?—A. Yes, sir; he was with these men who called at the sheriff's office, and he certainly acted toward me as a gentleman; much more so than any other of the party there. He had some consideration for truth; and he said that the statement which I had made could not be doubted, and that they could not show the circular, and admitted that my statement must be correct. I think he was the only man in the party that gave me any sort of a hearing. I should say they were all under the influence of liquor, except Dr. Holland. They certainly acted in a very boisterous, a very demonstrative and threatening manner, except Dr. Holland.

Q. Do you know whether he is a member of the church?—A. Mr. Powell told me to-day that he was. I think Mr. Powell and Dr. Holland are related in some way by marriage; I have no personal acquaintance with Dr. Holland.

CHARACTER OF TOM. PRIESTLEY.

Q. Do you know a Mr. Tom. Priestley?—A. Very well.

Q. What kind of a man is he?—A. I don't know as I can tell you; he is a citizen of this county, and I know him very well; he is a man of very strong prejudices, and a very impetuous and impulsive man; but so far as my intercourse with him was concerned he acted very honorably toward me. I think he was one of the exceptions. I think he treated me very courteously during these demonstrations against me. I think Priestley and I were very good friends all through the election.

CAUSE OF THE CHANGE OF FEELING.

Q. Can you not attribute this change in sentiment and treatment of you by those who had been civil and friendly to you, to the prevalence of these false rumors, as you say they were, as to what you had stated in the meetings?—A. I don't know how to answer that hardly; but I suppose it had its influence; no doubt it must have had an influence.

THE PARTIES WHO PUT THE RUMORS IN CIRCULATION.

Q. Do you not understand very well that if these things had been true which were alleged of you, it would have been a very good reason why these men, who had been friendly with you, should cease those friendly relations?—A. Well, the trouble is this, in reference to that: they were the very parties, I think, who put these rumors in circulation, and kept them going, and would not listen to the truth when it was told to them.

Q. No matter by whom they were started and kept in circulation; of course I am not speaking of men who would put a rumor in circulation which they know to be untrue, of course that would have no effect upon their opinion, but I am speaking of other men to whom these rumors came, would they, if they had heard such things without an explanation, not feel that it was very good cause for changing their demeanor toward you?—A. No, sir; I will tell you why. These men knew me very well, and having heard such things, if they were honorable men, they ought to have come to me and asked me, "What does this mean?" and learned the facts of the case. That is my conviction. I don't think they ought to have changed in their demeanor toward me until they came and spoke to me and gave me a chance for explanation.

I said to them, "Gentlemen, you have heard these rumors, and why did not you come and ask me: What does this mean? You have treated me in such a manner that you have led me to believe or think that you are not my friends. Why did you not come and see me when you heard such things? Certainly, if you heard such things, you ought to have known me well enough not to believe them until you have given me an opportunity for explanation."

If they had wished to manifest good feeling and good fellowship toward me they ought to have come and seen me and not have denounced me without knowing anything about the facts. I have spoken to the good citizens such as Colonel McFarland, Judge Campbell, Judge Calhoun, and others who I think would be honest and fair in politics as well as other things, if the moral sentiment and the moral influence was not so strong against them; but as it was at the time I don't think they could be, and I think that was the reason that they did not come to me and hear my statement. The moral influence was so great against them that they had not the power to come and try to correct the errors.

INTIMIDATION BY THE MADISON DEMOCRATIC CLUB.

The democratic club at Madison Station, the station this side of my

station, passed a resolution denouncing every person who voted the republican ticket, and saying that if any colored men voted the republican ticket they should not be employed nor furnished lands to cultivate. Judge Campbell made a very hot speech in a democratic meeting at Canton against that resolution, and said that such a policy would ruin the democratic party and ruin the cause, and he spoke very earnestly in opposition to that sort of thing.

CHARACTER OF JUDGE CAMPBELL.

Q. Have you known Judge Campbell since you have been in the county?—A. I could not claim any particular acquaintance with him. I think he is a very honorable man and a very good man; and his partner, Colonel Calhoun, and he are practicing law there together. Judge Campbell is now on the supreme bench of the State, and Colonel Calhoun is the district judge there.

Q. Do you not know that Judge Campbell is to be relied upon in his statements in every respect?—A. Yes, sir, I would think so; I think he is a man above falsehood entirely; I should say that from all I know of him.

Q. Who was with you up at Canton at the time you had this difficulty?—A. This man you have just before you as a witness, Mr. Williams; he rode up with me in my buggy and was right with me when this occurred in the court-house, and was in the stable with me and rode home with me; he was with me all the time.

WHY WITNESS IS NO LONGER A DEMOCRAT.

By Mr. CAMERON:

Q. Is it not a fact that there was a hostile feeling manifested by the white people toward republicans in your neighborhood, particularly toward those who took an active part in politics?—A. Yes, sir, I know it was so; I have just given a statement to that effect, that I was very well received as long as I took no interest in politics, and I think I have still a large number of friends among the white people—democrats—in this county; I am very certain that persons affiliating with the republican party in this section of the country are very much criticised. I was in Memphis for three years after the war and I had the honor there to be a democratic delegate to several conventions. I found no trouble there; but I saw things that showed me I could not affiliate with the democratic party, so I did not have anything to do with the party or the politics when I came to this State; but I was considered to be a democrat before I left Tennessee. I was in the war a democrat and was in the Army as a war democrat.

J. A. P. CAMPBELL—MADISON COUNTY.

THE TEST-OATH.

JACKSON, MISS., *June* 21, 1876.

J. A. P. CAMPBELL sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Canton, Madison County, Mississippi.

Q. What office, if any, do you now hold?—A. I am one of the judges of the supreme court of Mississippi.

Q. When did you go upon the bench?—A. Upon the 10th of May last—1876.

Q. Prior to that time what was your profession?—A. I was a lawyer.

Q. Where did you practice?—A. At Canton, Miss. I had been on the bench formerly. I was circuit-court judge from the fall of 1867 to 1869, when I went out under reconstruction. I could not take the test-oath that was required in 1869. I was twice elected by the people, in 1865 and 1867.

ELECTED JUDGE.

Q. State what was that test-oath. You were in the office in 1865?—A. Governor Sharkey, the provisional governor of Mississippi, appointed by Mr. Johnson, ordered a special election to fill offices, proceeding upon the idea that the rebellion, as it was called, had merely interrupted the course of things; that there were vacancies in the offices. Governor Sharkey had ordered an election to fill vacancies, and among others that of circuit judge, which had about sixteen months for the remaining period of the old term, say about sixteen months. I was elected October, 1865, and then re-elected for one term at the next regular election.

Q. The term of 1865 brought you to what time?—A. To the end of 1866.

Q. And then?—A. I was elected for the full term of four years, commencing the 1st of January, 1867.

Q. Then your term would be to what time?—A. It would expire the first Monday of January, 1871.

COULD NOT TAKE THE TEST-OATH, AND WHY.

Q. Why were you unable to hold your office until January, 1871?—A. The military governor sent me the test-oath, requiring me to swear that I had not participated or sympathized with the rebellion in any way.

Q. Who was the governor?—A. General A. C. Gillem, I think. The test-oath was sent to me—by the way, General Gillem was anxious to retain me if he could. I had a letter from his adjutant-general; he wrote me a letter; I have forgotten the particulars, but he had no discretion. I could not take the oath.

Q. Under what order was that test-oath administered?—A. Under an act of Congress; that is my understanding.

Q. You resigned in 1865?—A. I was superseded. C. C. Shackleford was appointed in my place to the vacancy in that office.

HIS SUCCESSOR TAKES THE OATH.

Q. Did Judge Shackleford take that oath?—A. I suppose so; I do not know. That was the understanding, that all were required to take the test-oath.

I know I had from General Gillem's headquarters a letter. He seemed to have some kindness, a disposition to retain me; I do not know why, unless it was some decision on behalf of the freedmen. I think it was made a basis of a circular-order from the Freedmen's Bureau. I had enforced the claim of a parent to his child. It is possible the kind disposition arose from that. I received some such assurance from him, any way.

THE EFFECTS OF THE TEST-OATH.

Q. My object was to ascertain the effect of the exclusion of this test-oath. If it will not interrupt your testimony I would like you to state whether this test-oath was applied to those who voted for the adoption of the constitution of 1868.—A. I do not remember about that.

Q. Were you and others, who had taken part in the rebellion, allowed to vote or hold office prior to the adoption of that constitution?—A. I was not, sir. I suppose all in my situation were excluded.

Q. Your exclusion was based upon what?—A. Having participated in the rebellion or sympathized with it—no; inability to take the test-oath.

Q. I want to find what that was for—sympathy with the rebellion?—A. Yes, sir.

Q. Did or did not that exclude the bulk of the voting population of Mississippi?—A. Unquestionably, because there was but one sentiment during the war. If there was any unionism in Mississippi during the war it was rarely heard of. There was a great deal of it afterward, not much exhibition of it during the war.

Q. Have you stated your enforced resignation?—A. I was superseded. My office was vacated.

PERSONAL RECORD.

Q. Have you been a member of the bar?—A. Yes, sir; came to the bar before I was of age; that is, before I was twenty-one.

Q. Where were you born?—A. In South Carolina, and moved to Mississippi in 1845, when I was a boy.

NEVER A MORE PEACEABLE CANVASS OR ELECTION.

Q. Will you state to this committee the general character of the canvass of 1875 as to peace and good order?—A. Well, sir, there was never, within the bounds of my knowledge, a more peaceable, quiet canvass or election. In Madison County we had a fusion ticket formed some time before the election, and there was really less parade and noise, clamor and display in Madison County than usual in elections. I could hear of more or less of it elsewhere, but within the bounds of my own knowledge there was none scarcely. I stated we had formed a fusion ticket, the result of a conference between some democrats and some republicans, which made the election much quieter than Sunday usually is. If there was a quarrel in Madison County, or any disturbance of a political nature, I never heard of it all.

Q. We had before us Captain Ross, sheriff, and Judge Cunningham, formerly circuit judge, and Postmaster Kernighan, and a number of colored men, and Mr. Kee, candidate for sheriff.—A. He was displaced from the ticket in the fusion.

Q. They have given testimony in respect to this fusion; what brought about that fusion or compromise? I wish to inquire if you know how it was effected, and whether it was voluntarily adopted?—A. I can give the history of the early progress of it.

EARLY HISTORY OF THE FUSION IN MADISON COUNTY.

Q. Your name has been connected with this fusion, I dare say?—A. Yes, sir; I remember the time very well. I had a conversation with Mr. Pratt, who was a republican candidate for the State senate, during the session of our circuit court, in which I had propounded the inquiry whether or not such a thing would be possible. Expressed to him my great desire to see such a thing brought about. Nothing came of the conversation, but it was not long until a letter was written to Mr. Yellowly, a democratic candidate for the house, and Mr. Foote, president of the democratic club at Canton, stated that he had a conversation with Judge Breck, a republican, which induced him to believe a fusion might be effected upon certain conditions which I had mentioned to Mr. Yellowly myself in a former conversation. That letter was mentioned to me on Monday morning as I went to my office, by young Mr. Singleton. And in a few minutes Mr. McFarland, a merchant, mentioned the same letter, and asked me to

accompany the sheriff to see Captain Ross and have a conversation on the subject.

Q. He was one of the republican leaders, recognized as such?—A. Yes, sir; and perhaps the most influential among them, a manly, straightforward, and sensible fellow, likely to have the respect of the people everywhere, and an influential man, I suppose, with his own party. I know he had a large degree of respect from everybody, and the democrats esteem him very highly. I told him I would go with him, and did so. We found Captain Ross, the sheriff, and Mr. Boyd, county treasurer, I think, and Mr. Smith, who was the postmaster in Canton, (I am not certain, but I think so,) and young Mr. Singleton and young Mr. Powell, the mayor of Canton, and some conversation was had there in regard to this matter of compromise. It was stated that we called to see what could be effected in that direction; and the result was nothing. The conference was broken up; several gentlemen left. I returned and I expressed my great regret that it could not be effected; that I earnestly desired to see a consummation of that sort, for the double object of precluding the possibility of any disturbance throughout the election, and, also, to inaugurate an era of good-will and secure good officers by the adoption of a ticket for which everybody could vote with heartiness.

THE COMPROMISE AGREED UPON.

After some further conversation several gentlemen who had departed were called back, and I left about that time, and in the evening I learned that Ross, and Pratt, and Smith, and others had agreed with the democratic committee, (I happened not to be a member of the committee.) My reason for not taking a part in the actual arrangement of the compromise was that I was not a member of the committee at all. I had merely gone as a private gentleman, interested to confer with these gentlemen; and having expressed my views, I retired, and I heard during the day that the matter was formally arranged and agreed upon, and waited only the ratification of the republican official committee, which was to meet the next Wednesday.

On Wednesday it was ratified, as I understand, and there was but one ticket in Madison, except a ticket made by Warner and some others by distributing a straight-out republican ticket just before the election. There was considerable effort of that sort up in Madison. Captain Ross and the others acted with good faith and carried out the fusion ticket on both sides. The fusion ticket was elected, getting nearly all the votes.

Q. Who was Warner?—A. He had been State senator, and was nominated for Congress, and retired from the ticket in favor of Judge Niles, chairman of the republican State central committee.

WARNER AND OTHERS OPPOSE IT.

Q. Had he been a party to the arrangement, the fusion ticket, as it is called?—A. I think not; I think he opposed it; that is my understanding, as Ames was opposed. I heard that republicans, Ross and others, were summoned to town to give an account of this, why they had done this, and all that. I do not know anything about it personally, of course.

NO INTIMIDATION IN FAVOR OF THE COMPROMISE TICKET.

Q. Was there any intimidation resorted to to compel the creation of the fusion ticket?—A. Not the slightest that I ever knew or heard of.

Q. Was it, to your knowledge, a voluntary action of the leaders of the two parties for the purpose of procuring good men in the county?

—A. That was certainly my understanding; there was a further object, I doubt not. I know I urged that. There was a very feverish state of the public mind. The Clinton affair had occurred, and the Warren County matter, and some disturbance in Yazoo, and every sensible man of both parties thought there was a possibility, in the feverish state of the public mind, of a disturbance being precipitated by imprudence or accident. I suppose every one of us was desirous to preclude the possibility of any disturbance on election day. I think I was, and I suppose everyone was.

Q. Without its being precisely allege—I cannot, not having the notes before me, say—but without its being precisely alleged, there has been before this committee, from the witnesses, intimation that there was intimidation practiced to induce the formation of the fusion ticket, and I ask you, as a party to the compromise, whether that was true or not?

The CHAIRMAN. The statements, to my mind, have a different construction; not that intimidation was for that purpose, but that there had been intimidation and outrages in the district, which made the republicans prefer a compromise rather than take the risk.

Mr. BAYARD. Just consider that interrogatory with the correction of the chairman. I would like the chairman, or members of the committee, to make any correction when I fail to state the testimony accurately.

NO SEMBLANCE OF INTIMIDATION.

A. I certainly never had an idea that there could be a pretense that there was even a semblance of intimidation in Madison County. I remember when I saw an account of the appointment of this committee, or the proposition of Senator Morton to appoint it, I felt, and remarked at the time, that there certainly would not be anything to investigate in Madison County, for if there was any semblance of intimidation prior to that time I was ignorant of it; I never heard of it.

Q. Did or did not the leading republicans of the county oppose the Warner ticket?—A. I am not able to say about that.

Q. After the compromise, I speak of?—A. I think the compromise, or fusion ticket, was almost unanimously supported.

Q. Were you present on the day of election?—A. I was at Canton.

NO INTERFERENCE AT CANTON.

Q. Was there, to your knowledge, any interference with the right of voting, by anybody, at any time?—A. There was not. There were more democrats opposed to the fusion than republicans. As well as I could ascertain, there was a minority of the democratic party opposed to the fusion, that warred against it, and condemned it bitterly. Extreme men and violent men who didn't want to have any treaty with the republican party at all, yet at the same time, the compromise had an overwhelming majority of democrats, five-sixths, I should think, cordially approved it, and a greater proportion of the republicans. I never heard of any dissatisfaction on the part of the republicans, except at Jackson.

Q. That is not in the county?—A. No; but Warner, from Jackson, it is understood, tried to distribute straight-out republican tickets, or the old ticket, and thus defeat the fusion.

Q. Do you understand that General Ames sympathized with him in that movement?—A. As to the knowledge of it I do not know, but there was a call—Pratt told me about it—to appear before Ames, Gibbs, Warner, and other leaders of the party to account for this; why they had made this fusion. The matter was talked of, but I do not know about it personally.

Q. Your information was from those who were parties?—A. Yes, sir; Pratt told me. I understand that occurred.

THE FUSION PRODUCED DISSATISFACTION IN JACKSON.

Q. Do you know why General Ames interfered with the affairs of your county, and desired to prevent the people from doing as they pleased?—A. I know nothing about that, sir. There was about 2,000 majority of colored voters in Madison County, and the fusion was regarded, I suppose, in Jackson as a surrender by the republicans to the minority, and it produced dissatisfaction with the leaders of the republican party at the capital, lest it might jeopardize the general result, I suppose.

CASE OF YOUNG MOORE AT CAMDEN THE CAUSE OF RUMORS OF A NEGRO RISING.

Q. There have been various colored people here who stated that they had been alarmed, I think, by the firing of pistols at night by bodies of armed mounted men riding through the country. Do you know any facts of that character, of men designedly disturbing the peace of the county in some such way?—A. I have never heard of such a thing. There was a volunteer company of about 50 men, I think, formed at Canton, commanded by George Handy, which company, I remember, was tendered to Captain Ross, sheriff of the county, as a *posse comitatus*. Some 18 or 20 men went out to Camden, about 18 miles from Canton, the sheriff preceding them, in reference to some disturbance that was understood to be occurring up there about Couparle City, two or three miles from Camden. It seems that a young man by the name of Moore was charged with committing an outrage upon a colored girl. Five or six colored men went to his father's house to arrest him, and his father appeared on the piazza with a pistol, and swore he would kill the first man that crossed his threshold, and they collected, it is said, the negroes in a body, the clubs, as they call them, armed; the news came to Canton exaggerating it, as is usual in such cases, and Captain Ross, attended by somebody who knew the way up there, went, and he was followed by 18 or 20 men of this company, mounted and armed, for the purpose of being under his command and enforcing his authority, whatever it might be. Ross got there and the disturbance had all been quieted. The young man had submitted to arrest, and it turned out that the intercourse between him and the girl had been entirely voluntary. He had been surprised that she had reported violence, but it simmered down into a case of voluntary association. The negroes were satisfied and dispersed; the sheriff and this young man returned. That was the only instance ever heard of in the county. I do not say there were not others, but if I have heard I do not now recollect of any.

HEARD OF NEGROES BEING ARRESTED FOR BEATING DRUMS.

Q. Do you know anything of the arrest of some young colored men, and their being brought to Canton for the purpose of being fined for noisy beating of drums at night in the county, and making disturbances?—A. Yes, sir, I have some recollection of some arrests having been made in the neighborhood of Madison Station, I think, upon the charge of disturbance of order, or some such way. The particulars I do not know. I simply heard of it at the time; nor the results of it—whether any of them were fined or not—I do not know. I heard an occurrence of that sort; that some complaint had been made by somebody of the disturbance of the peace and quiet of his household, and he had spoken to people in regard to it, and to numbers of them, and it had aggravated the matter and made it worse. He complained to the

civil authorities and some process was issued. I recollect to have been amused at it, and wondered under what statute it occurred; but what came of it I never knew.

DR. HOLLAND A PIOUS, CHRISTIAN MAN.

Q. Did you know Dr. Holland, of the county?—A. I do; he is the man whose name was connected with that arrest.

Q. What manner of man is he?—A. A very highly respectable man, one of the most amiable, mild-mannered, good-natured men I ever knew.

Q. What is his age?—A. I suppose him to be about forty years of age.

Q. Do you know whether Dr. Holland is a man who is profane in his speech?—A. He is one of the most pious, devoted, Christian men I ever knew; remarkable among men in that respect.

Q. Would you believe it possible that Dr. Holland would interlard his conversation with profanity?—A. It is utterly inconsistent with his character, and I should regard it as impossible unless I could hear it, or was attested by witnesses whose veracity I could not question at all.

Q. Do you know a man named Hannibal Britton, of Madison County?—A. No, sir.

Q. Do you know George Glen, a negro, who lives with Colonel Breck, I think?—A. I do not.

Do you know Alexander Taylor, a negro?—A. No, sir; my acquaintance is very limited among the colored people of Madison County, indeed.

MORE ABOUT DR. HOLLAND.

Q. Was Dr. Holland a man apt to be riding about the county at night, and either shooting his pistol off in the air, or shooting at people?—A. No, sir, [laughing;] that would be a ridiculous charge made against him where he is known. He is one of the best of men. A little, diminutive man, a highly respectable man, a pious, devoted man; he is a Christian man, an upright, moral man, one of the best men in Madison or anywhere else.

DOES NOT KNOW CAPTAIN KEE.

Q. Do you know Captain Kee?—A. I know him.

Q. Do you remember the circumstances of his visit to Canton to respond to certain charges that were circulated, that he had made incendiary speeches, threatening the lives of the white people?—A. I know nothing personal of it. I recollect to have heard of Mr. Kee being there on some occasion, but I know nothing; I do not remember the particulars.

Q. You remember charges against him that he had made and published a circular in which he made very violent and bloody threats?—A. I do not know anything of that at all. All I know I remember to have heard that a negro did curse or wanted to go and curse Kee, and was prevented; either did so and was rebuked for it, or wanted to and was admonished not to do it. I do not know what it was. I cannot give an intelligible account of it.

TOM PRIESTLY A HIGH-STRUNG FELLOW.

Q. Do you know Mr. Priestley in your county?—A. I do—Tom Priestley—very well.

Q. What is his character and mode of life?—A. He lives on a farm near Calhoun Station. I saw him occasionally at his father-in-law's, who lives across the street from me. I saw him frequently in that way.

He is a very respectable young man. I think he is a pretty high-strung fellow; not a violent man, not an outrageous man, not a disorderly man—nothing of that sort.

Q. Some allegation has been made here that he took from a colored voter tickets that had been scratched, and just took them out of his hand on the day of election, he not being an officer of the election, and threw them on the ground.—A. I do not know; I did not see that action if there was anything of that sort. There was a fusion ticket that everybody was voting freely. I knew nothing of that.

KNOW NOTHING OF MEN COMING FROM YAZOO.

Q. Have you any knowledge of men during the canvass from adjoining counties, especially the county of Yazoo, threatening violence to colored men?—A. I never heard anything of that; certainly never anything of that kind in Madison County. If Madison County was invaded by troops of another county, I never heard of it.

Q. Have you any knowledge of any time during the canvass that men came from Yazoo for the purpose of threatening the colored voters of Madison?—A. I have no such knowledge; I never heard such a thing.

Q. Were you intimate in the counsel of the democratic conservative party there?—A. Yes, sir.

Q. Was there any such plan as that known among your people?—A. I never heard of it; if it was so, I never heard such a thing.

Q. Were you cognizant of affairs in Holmes County?—A. No, sir; I was not.

KNOWS O. S. LEE—HIS RECORD.

Q. Do you know O. S. Lee?—A. Very well; the sheriff formerly, and afterward chancellor-clerk. He was a northern man; had been a captain in the Federal Army, as it was understood. I do not know whether he was or not. A great many are called by titles here who never were commissioned, though he may have been. I think he was in Holmes County when I was holding court there.

Q. That was prior to 1869?—A. When I held court there I think I used to see him, in 1866 or 1867. He became sheriff of the county, and subsequently the chancellor-clerk of the county.

Q. He acted with what party?—A. He was a republican.

Q. Do you know that he held any official relation to Governor Ames?—A. He was adjutant-general and aid-de-camp, with the rank of lieutenant-colonel. He was called captain in Holmes, and colonel in Jackson. He was acting with Ames, and represented him out at Vicksburgh during the Warren County troubles. He has been a client of mine. He employed me to defend him.

I asked him to tell me all about that Vicksburgh affair, and I then learned from him that he represented Ames officially.

ABOUT LEE'S DEFALCATION.

Q. You stated also that he was a defaulter to the county?—A. He was represented to have been. I was sought to be employed, and was retained just before I went on the bench in that county. A suit was brought against the sureties on his bond.

Q. What was the amount of that?—A. Represented to have been between thirty and forty thousand dollars, I think. He was not on the bond, perhaps, but he was the party who represented the other, not the principal in the bond—thirty thousand dollars it was said, and it was reported that he was in Chicago. I know that Ames sent the attorney up there to see what could be done about it, but what came of it I do not know.

Q. Had you ever been employed professionally in his defense for homicide committed by him there at any time?—A. No, sir; I do not think he was indicted for that. He was recognizanced by the officer to appear. I doubt if there has been a term of the court since. I do not think the grand jury has been in session since that; that is my impression.

LEE'S MURDERS.

Q. Who was it that he killed?—A. There was a colored man or two killed by him; I do not know, he was charged with having done it by a man by the name—editor of the newspaper there; I don't recollect the name—a republican paper.

Q. Where did the affray take place?—A. In the court-house in Lexington.

Q. Who were the parties to it?—A. They were all republicans, I think. Judge Warner, I remember, was in the room.

Q. Holmes was circuit-clerk?—A. Yes, sir; he was there.

Q. Who were the parties shot?—A. One white and two colored were killed. I don't remember the names. I saw the account in the papers and heard about it.

Q. Was that at a meeting of the executive committee of that party?—A. It was at a meeting of the republicans for some purpose, in the clerk's office.

By Mr. McDONALD:

Q. Was Hill the name of one of the parties killed?—A. I only know what I heard; the newspaper account, and, perhaps, persons who told me about it whom I met casually.

Q. Was the fact of the homicide one of public notoriety?—A. It was never denied; no question about it.

WHY LEE KILLED HILL.

Q. Do you know the cause of the killing?—A. I saw an account; and saw the testimony, in fact. Some colored man; Hill, I believe, who was the assessor of the county—I think he held some official position, and was a candidate, I think, for assessor, I think—or some other colored man in a public speech had denounced this editor, whose name I do not recollect; I would know it if I should hear it; and this man accosted him in this assembly and demanded a retraction, and Lee was his friend, and the result was a rencounter, in which a man was killed and various shots fired. There was a conflict of testimony as to who did the killing; whether it was this man or Lee; both shot. It was not proved; but as to the guilt or innocence I know nothing. I did not see all the testimony; in fact I formed no opinion about it.

WITNESS'S MEANS OF POLITICAL INFORMATION.

Q. Has your profession and your political course given you fair knowledge of the conduct and political course of this democratic conservative party throughout the State?—A. I should think so, sir. I was one of the electors on the Greeley ticket in 1872, and made something of a canvass, and have been, not very prominent, but somewhat connected with the political canvass in and around in the State since I left the circuit bench until I went on the supreme bench. I have been attending conventions, and been a great deal to Jackson, and had the ordinary sources of information, and newspapers, and intercourse with men generally.

SOME ATTEMPTS BY THE WHITES TO OBTAIN THE NEGRO VOTE.

Q. I asked you what attempts have been made by the white people

of the State to consolidate and obtain the vote of the negro population?—A. Well, they have made—I hardly know how to answer the question, more than to say this: there has been a marked desire manifested by the white people, evidently, in their organization of political parties, to conciliate, and to induce the colored people of the State to join with them in the election of officers and the control of the affairs of the State. That has been shown by the resolutions of the different political conventions which have assembled, and the individual efforts in that direction have been very numerous. Our support of Greeley was a concession in that direction; we thought a very long ways. Our idea was that the colored people, seeing a disposition on our part to vote for Horace Greeley, would accept that as an unanswerable assurance of our full acceptance of the situation of the abolition of slavery, and everything that was involved in that, and if they had had the intelligence to perceive and to apprehend the situation it would, perhaps, had that effect. It did not, however; they generally voted for Grant.

NATURE OF THE REPUBLICAN REPRESENTATIONS TO THE NEGROES.

Q. Do you know, generally, the character of the addresses of the canvass on their side in respect to instructing the black population that it was the intention of the democrats to reduce them to slavery again?—A. That has been the cry with which the poor ignorant people have been deluded from the start; that the democrats only wanted an opportunity to reduce them again to slavery; and while they have been willing to confide in the whites in everything in the world but politics, they have been unwilling to consort with them politically, and accept as sincere their declarations in reference to political purposes and desires.

Q. At the last election were you enabled to get any portion of the negro vote?—A. Well, my personal knowledge extends only to Madison County, and there we had a compromise or fusion ticket, as it was called, which was generally voted. The vote against it was very trifling, insignificant. Universally accepted.

THE SPLIT IN THE REPUBLICAN PARTY.

Q. Was there or no in the last election a schism in the republican ranks—a falling-out between their leaders?—A. To a considerable extent. The understanding that Harris, and McKee, and Alcorn, and divers others were antagonistic to Ames. There was Ames's party, and Alcorn's party, as we call it here—a rupture in the republican party. It was understood that Ames, and Warren, and a few others were trying to carry the negroes in a body with them, and Alcorn, and Harris, and McKee, and divers others were opposed to their efforts. Powers was also arrayed on the Alcorn side, as it was understood; that was the talk.

GOVERNOR AMES'S POLICY TO CONCENTRATE THE BLACKS AGAINST THE WHITES.

Q. What was the policy pursued by Mr. Ames in regard to the two races, whites and blacks?—A. It seemed to me that Governor Ames had based his hopes entirely upon the negro party; that was the idea I had. And that all his efforts were directed to the concentration of the negro vote against the whites, calculating that mere force of numbers, the negroes having a majority in this State, I believe, of a few thousand, I suppose the idea would be that the negroes would all be commanded and move solidly, and that numbers would count in politics as in war. And the impression I had, which I think prevailed generally, was that

Governor Ames had determined to base his hopes of political success upon leading in a body the negro vote of the State.

Of course I am depending for the formation of my opinion upon general conjecture and reasoning from facts known, not from any assurance from Governor Ames or any knowledge of, except as I may derive the impression from external acts.

Q. You judge of the conclusion by the premises which he laid down?—A. By the course pursued.

THE MOST PERFECT QUIET SINCE THE CHANGE IN AFFAIRS.

Q. Has there been, as far as you know, since the election an acquiescence in the change of affairs in the State?—A. Entirely so; the most perfect quiet has reigned throughout Mississippi.

Q. Any collision between the races since that, that you are aware of in your own section of the country?—A. I have heard none anywhere I remember, except on the borders of Mississippi in Louisiana. This matter down here that is known through the instrumentality of papers; I have heard of no disturbance; perfect quiet has reigned throughout the State except that.

Q. State what has been since 1875 the effect of this change of administration; if there has been any effect upon the happiness and prosperity of the people?—A. It has been most inspiring, decidedly inspiring, to the people.

Q. Is that feeling confined to one race exclusively?—A. I am not able to speak about the colored people. My associations with them are so very limited that I cannot say, sir. My professional duties before my appointment to the bench, and my judicial duties since, have so engrossed my time that really I cannot express an opinion, even about the sentiments of colored men in the State.

OUR IMPROVEMENT IN PROSPERITY SINCE THE CHANGE.

Q. Has there been, to your knowledge, a visible improvement in the prosperity and condition in the State since the change of administration?—A. There is no question about that I think, sir. The prospect for industrial success is decidedly better than it has been. There are much higher hopes in the bosom of the white people, and so far as I can ascertain or judge from every appearance, perfect contentment, quietude, and satisfaction among the colored people

HOW THE BLACKS WERE INCITED TO OPPOSITION TO THE WHITES.

The truth is that the colored people were being incited by pestiferous vagabonds who wanted to stir them up for purposes of their own against the whites. And they would have moved along in their sphere contentedly and quietly, depending on the white people, trusting in them, and treated with kindness by them, but they were stirred up and hopes were created in their bosoms which could not be realized. And there are ambitious men among them, who, catching their inspiration from their leaders, undertook to permeate the whole race with it, and spreading it abroad inciting them and inducing a feeling, when there would have been no such feeling; all would have been satisfactory between the whites and blacks had it not been for the interference of these persons who undertook to use the negroes for their own purposes.

And I will state further that the negroes would have fared just as well and better without any interference at the hands of the mass of the white people, who have far more consideration and kindness for them than these men who make loud pretenses of their devotion to them for mere political purposes.

HOW WITNESS FEELS TOWARD THE BLACKS.

I know the negro race well; I was born and reared among them, and have nothing in the world but the kindest feelings for them; and in my private life and in public life, as they will all testify who have been brought within my influence, I have treated them with great consideration. When on the bench, where they had against them the natural prejudice unhappily existing to a great extent in the minds of their late masters against the newly enfranchised race, I was anxious to secure them from injustice from white jurors, even more so than if they had been white people. I have always had only feelings of the utmost kindness toward them, and have now.

THINKS THE NEGROES HAVE DONE WONDERFULLY WELL.

I am prepared to assert that they have done wonderfully well under the circumstances, and would have done far better but for the interference of politicians who stir them up and use them for their own benefit. They have been badly taught and misled and been used as mere puppets to a large extent.

PERSONAL RECORD.

By Mr. CAMERON:

Q. To which political party of this State did you belong prior to the late civil war?—A. To the democratic party.

Q. Were you or not in favor of secession?—A. I was in favor of secession.

Q. What position did you hold in the confederate army?—A. I was lieutenant-colonel, and captain and colonel.

Q. How long did you serve in the army?—A. From the early part of 1862 until the surrender.

Q. I think you stated that you did not belong to the executive committee of the democratic party in your county last fall?—A. No, sir; but I did belong to the State central committee. I should have stated that before; I did not think of it at the moment.

Q. What official relations, if any, except as member of the State central committee, did you have with the party in your county?—A. I had none, sir, except as a voter.

Q. Did you canvass the county during the last canvass?—A. I did not.

WITNESS MAKES TWO SPEECHES.

Q. Did you make any speeches during the canvass?—A. I made a speech a short time before the election in Canton, at night, and the night before the election I made a sort of reception speech on the occasion of the reception of our candidate for Congress, Mr. Singleton. He had been off and returned and he was received. A meeting was held at Odd Fellows' Hall, and I was called to the chair, and was called out and made a little speech. That and the speech I made a short time before the election were the only speeches I made during the last canvass. But one was a political speech—the one some days before the election.

Q. You may state whether you traveled through the county of Madison during the canvass for the purpose of seeing the political situation.—A. I did not; I was not out of Canton, except on the railroad, during the canvass, so far as I now remember. I came to Jackson, perhaps, occasionally.

DOES NOT KNOW OF ARMED COMPANIES RIDING THROUGH THE COUNTY.

Q. Do you know, as a matter of fact, whether armed bodies of men did or did not ride through the county during the canvass?—A. I do

not. I can simply state what I heard. I heard of this affair at Camden. I heard no other one; I knew of none personally.

WITNESS'S VERSION OF THE CAMDEN AFFAIR.

Q. In regard to the affair at Camden, was it not the fact that this armed body of men of which you have spoken got ready and determined to go out there before the sheriff started at all; that they did start before the sheriff, and the sheriff followed after them and passed them before they reached the point of their destination? What information have you in regard to that?—A. My information was this: A young man by the name of Russell came down with an account of this action of the club of colored men; that they were assembled with drums and fifes, perhaps armed—a large assembly, not far from his house, for the purpose of going in a body over to Couparle City, and he hurried off to Canton bringing this news, and coloring it and exaggerating it, I suppose, and the result was some commotion among the members of this company. I learned that upon the suggestion of Judge Calhoun, (as he is now; known as colonel then,) who is one of our leading citizens, that the company was tendered to Captain Ross, the sheriff. That is what I heard. I know nothing of it personally, and my information was that Ross preceded the armed body of men, according to the talk, and Boswell went in a buggy to show him the way. They had gone out in advance of these gentlemen, some eighteen or twenty of whom followed along; that was the information I had. I don't know myself.

THE KILLING OF THOMAS BY JONES THE CAUSE OF THE RUMORS.

Q. For what purpose was that military or semi-military company formed?—A. The avowed purpose was for the protection of the community against any possible disturbance of its peace and quiet. I think that which immediately led to its formation was this: Not long after this Clinton unfortunate occurrence there were rumors abroad in the land of troubles, a feverish state of the public mind, and I recollect a very great commotion one night about dusk in Canton, about the report that armed bodies of men were coming to Canton. There had been a colored man by the name of Thomas killed, by a young man by the name of Jones, with an ax-helve in a personal altercation; young Jones struck this man and killed him, and that in consequence the colored people, considerable bodies of them about Canton, were searching for Jones, and, I think it was the next day, report came to Canton that certain of the clubs were coming in to see about this disturbance. I remember that the citizens fled to arms under the idea that the town was being marched upon by armed clubs of negroes, and subsequently that these whites formed a military company to meet emergencies of that sort. The company was formed, and some fifty guns were afterward procured, improved arms of some sort.

MORE ABOUT THE CANTON COMPANY.

Q. Of how many members did that company consist, as you understand?—A. I think about fifty.

Q. Who was the commander?—A. George Handy is captain.

Q. Was it officered with other officers?—A. Yes, sir; as I understand. Miles is first lieutenant Jenkins and Charley Priestley are the other officers, I think.

IT IS STILL ORGANIZED.

Q. Do you know whether or not that company still retains its organization?—A. The last I heard of it was on memorial day, on the 26th of April, when some persons went out to decorate the soldiers' graves, and

there was speaking, and assemblage of the citizens, and music. I saw the company as a part of the gala proceedings of that occasion.

Q. Then, so far as you know, it still continues?—A. Yes, sir; I presume so. I saw it then.

Q. It is, I understand, a voluntary organization?—A. Entirely so.

NATURE OF THE BLACK AND OTHER LAWS.

Q. Will you state the nature of the black laws, so called, that were enacted by the legislature of this State some time about 1865 or 1866; I do not remember the precise year?—A. There were some passed in 1865, and some later, to which, I suppose, you allude. I am very sorry I have not the acts here. I recollect something of the regulations. You want to know the character of the legislation?

Q. Yes, sir; the acts of 1875.—A. I think the first attempt at legislation was made to regulate the newly enfranchised. There were provisions of law in reference to apprenticing minor children who were orphans, and those whose parents were unwilling or unable to maintain them. There was a scheme attempted to make provision for the apprenticing, by what was known then as the probate court, and these orphans and helpless children, or those who were not orphans, but helpless by reason of the incapacity or unwillingness of the parents to maintain them. That was one thing.

Then there was a very absurd and foolish prohibition on negroes becoming the lessees of land in the country. They were allowed to become lessees in town. Very foolishly, for whereas it should be the object to induce them to remain in the country, they were impelled by that to the towns. That was another provision I remember.

THE WHITE PEOPLE PASSED THE LAWS.

Q. Which political party was in power when that act was passed?—A. We did not have any political party, hardly, organized.

Q. What was it?—A. It was, I suppose—I do not know what it was called. I do not remember. It was composed of the former whigs and democrats—the white people.

THERE WAS NO REPUBLICAN PARTY.

Q. Was there a republican party?—A. I do not think there was any organization of the republican party of Mississippi at that date. I do not know the distinctive names. This legislature was composed of whigs and democrats, or who had been, and I do not know of a new alignment of parties at that date.

The republican party of Mississippi was constituted subsequently, because of the folly of the democrats in not meeting together and promptly recognizing the consequences of enfranchisement of the negroes, as I wanted them to do, to get the start of the republicans in accepting the situation, and declaring in favor of the right of the negro to vote and hold office if he could get it. That is what I wanted them to do, but they did not do it, and the republican party as a distinctive organization sprung up in Mississippi in consequence of that.

THE LEGISLATURE THAT MADE THE BLACK CODE WAS MAINLY OF SLAVE-HOLDERS.

Q. Then I will ask you whether or not the former slave-holders were mainly members of the legislature at the time of the enactment of this so-called Black code.—A. That is true, sir.

Q. I will ask you further, whether, prior to the agreement in regard to this compromise ticket in Madison County last fall, you did or did not apprehend that there would be trouble in your county?—A. Well,

I knew nothing that would lead me to anticipate any premeditated purpose on the part of either party to have disturbance, but I knew, as every man knew, the liability to have a difficulty precipitated on the day of the election by folly, by imprudence, or by accident.

THE TWO RACES ARE DISTINCTIVE.

You see, the two races are distinctive, and they have been, unfortunately, politically divided by color. The negroes have all stood by one side, pretty much, and the whites on the other, and it became a race question and nothing else, and there is ineradicable opposition between them. The white man prefers the white man, and the negro prefers the negro. With these two races, one formerly in slavery and the other exercising dominion over them, brought up face to face at the ballot-box, one under one banner and one under another arranged in reference to color, of course there would be a danger possibly of a collision.

NOTHING TO LEAD WITNESS TO BELIEVE THAT TROUBLE WOULD OCCUR.

I know nothing, therefore, to lead me to believe it was the purpose of any party that such a thing should occur, but still I knew the liability that it would occur, and it always will be so, not only at the last election, but it will ever be so as long as the same state of things exists—two separate, distinct races opposed to each other as races, so far as political and social relations are concerned. I felt that there was danger of such a thing occurring, and I felt exceedingly desirous of avoiding the possibility of anything of that sort; and more than that, I felt very anxious in regard to having an era of good feelings, all parties participating and voting together for good men, without reference to color or party name.

PARTIES WITHOUT REFERENCE TO COLOR.

I thought that, when the colored man was once brought up by the action of his leaders to vote for democrats, he would possess the idea that they were not such miserable creatures as they were usually represented to be by their political teachers, and that the negro having once, by the consent and action of his own leaders, voted for home citizens, in whom he would confide in regard to everything else, that it would be an entering-wedge and point the way to the formation of new political relations, and establish among them parties without reference to color, and with reference to the good of the State. That was the idea that possessed me.

HOW THE WITNESS WOULD OVERCOME THE NEGROES' DISTRUST OF THE WHITES.

Q. I understand you to say that you were of the opinion that there is an irreconcilable antagonism between the two races in regard to politics. If you hold that opinion, how did you think you could do away with that antagonism by the creation or formation of this union ticket?—A. Why, in this way: the negro has been taught by his leaders that he could commit no greater political sin than to vote for a democrat. That has been the understanding—that he was voting against his race, against his wife and children; that he was endangering his freedom, and all such statements as that, and that has been inculcated in him by the political teaching that he has had. And it occurred to me that if the same men who had been particularly instrumental in instilling that idea into his mind should consent to and should even urge him to vote for democrats, for home citizens, for men whom he had known for years, and in whom he would confide in reference to himself personally, that

hereafter it would induce him to pursue the same course under better teachings in which that would be a precedent which could be appealed to in future, if successful, and it would exert much influence upon the mind of the negro, who is very ignorant and hard to be taught.

WELL SATISFIED WITH THE RESULT IN MADISON COUNTY.

Q. Are you well satisfied with the result of the experiment in your county?—A. Yes, sir; very well satisfied with it. We got very good officers, very good indeed, as the result.

THE MASS OF THE DEMOCRATS ARE WHITE PEOPLE.

Q. You say that the negro has been taught by his political leaders in this State that he could commit no greater crime than to vote for a democrat. I ask you if the white men, to some considerable extent at least, have not been taught by their political leaders that they could commit no greater crime than to vote for a republican?—A. Well, sir, I do not think that any teaching of that kind has ever been attempted exactly; that is, it would be rather regarded as a presumptuous thing to address the whites of this country in that style. I will say this: the great mass, the overwhelming majority of the white people in this country, are democrats, opposed to the republican party, and I suppose that their political speaking has been of a character that would be reasonably expected under that state of things. But as for any particular teaching that it would be a great crime to vote for republicans, the mass of the white people are about as well taught as their teachers. They have their own opinions and thoughts and views, and are pretty firm in their political views. The mass of white people are democrats; you will rarely find a republican who did not come here from abroad since the war—very rarely; they are exceedingly scarce, few and far between, except northern men, among the white people.

WHY THE MASS OF THE WHITES ARE DEMOCRATS AND NOT REPUBLICANS.

Q. Will you give the committee your views or opinions as to why the great mass of the white men in Mississippi are attached to the democratic rather than to the republican party?—A. Yes, if you will let me think a moment.

Well, sir, I think it is the result of the force of circumstances in a large degree. When the war ended, the people of this country to a very large extent regarded the reconstruction measures of Congress as in hostility to the people of the South. The disfranchisement of very large numbers of our people; the course of the Federal Government, in other words, immediately after the war toward the people of the South in the effort to reconstruct them; the appointment of military governors; the successive acts of Congress, known as reconstruction measures; and the taking of the affairs of the people out of their own hands—the whole course of the Federal Government, if I may say so, toward the people of the South led the people of the South to believe, whether rightfully or wrongfully, that they were the objects of vengeance and the subjects of punishment by the Government of the United States; and the result was to cement all the intelligence pretty much of the South in a body, not in opposition to the Federal Government as a government, because after the flag of the Confederate government was struck the mass of the white people of the South felt that they had no other government than the Government of the United States, and transferred cheerfully their allegiance, I think, (certainly I did myself, after that flag was furled forever,) to the United States. But its course was such as to beget in the

minds of the southern people, whether rightfully or wrongfully, the idea that they were objects of distrust and dislike, and subjects of punishment by the Government of the United States in the course pursued.

LORDED OVER BY LITTLE MILITARY MEN.

We were lorded over by little military men with shoulder-straps and epaulettes, and everything of that sort, interfering with the affairs of the people, and begetting distrust on their part, as distrust is apt to beget distrust—distrust by the officials and distrust by the Government of the United States, and that instead of being allowed to govern themselves according to American ideas, as they had always done, that the Government of the United States had determined to assume government over them by military men, by bayonets, and through parties that sprang out of that state of things, composed mainly of negroes.

THE MISTAKE OF THE DEMOCRATIC PARTY.

Unfortunately, I say, the democratic party would not do what some of us proposed and thought ought to be done, that is, recognize and accept the situation and make the most out of the inevitable, and get the control over the negro mind by expressing a willingness to accord to the negro all his political rights; the right to vote and a right to hold office if he could get votes enough to elect him. The democratic party would not do that, and the result was that a foreign element came here, and, in conjunction with some who took that direction among the home people, banded the negroes together in a solid phalanx, and the formation of a line on one side was well calculated to form one on the other. And the negroes were found nearly all arrayed under the banner of the republican party, and the white people naturally aligned themselves under the banner of the other party, which was opposed to the republican party.

SOUTHERN LEADERS THOUGHT THE UNION WAS TO BE RESTORED "AS IT WAS."

Q. So far as you know, was it generally the opinion of the leading democrats of the South that the States which had been in rebellion, as soon as the surrender took place, should at once have been restored to all the political rights that they enjoyed prior to the rebellion and to secession?—A. Yes, sir. I had the idea which I think Mr. Lincoln had, that this war was being conducted on the part of the United States merely for the purpose of suppressing an outbreak and rebellion, and that with the suppression of the rebellion and the destruction of the confederate government, when the confederates grounded their arms and became loyal in their allegiance to the Federal Government, that the States should have been rehabilitated, and everything should go on as before, without the subjugation of the State government and the reconstruction which followed destruction. I had that idea, and I think that was the prevailing idea. That seemed to have been the idea of Governor Sharkey in ordering an election to fill vacancies for the terms that had partially expired during the war, the judges and other officers, who should go on as if nothing had occurred. We thought that was the idea Mr. Lincoln had in waging war for the maintenance of the Union. I supposed that course would be pursued.

WITNESS IN FAVOR OF ACCEPTING THE ACTS OF CONGRESS.

It was not pursued, however, and I was in favor of the acceptance of the reconstruction acts of Congress, for I felt that we were in the power of the Federal Government, and I regarded it as unwise to antagonize the policy of the Congress of the United States, which had the control of the matter.

I agreed with Mr. Barksdale, editor of the Clarion, who favored a prompt acquiescence on the part of our people in the reconstruction policy, and to make the most of the situation, make friends with the negroes politically, by a full recognition of all their rights, acquiring the ascendency and taking charge of them, and becoming their teachers and controllers, instead of allowing the republicans to do that.

DEMOCRATS DID NOT AGREE WITH HIM.

Q. Did the democrats generally agree with you in those views?—A. They did not. I am now speaking about reconstruction, the acceptance of that.

NO PERSONAL KNOWLEDGE OF ANY MURDERS.

Q. You have spoken of a homicide, said to have been committed by a man named Lee, in Holmes County?—A. I had no knowledge of that except from rumor only. I only know what I have heard through the papers, and personal accounts.

Q. Is it not a fact that during the last two or three years, homicides have been very frequent in this State?—A. There have been a good many, I have no doubt. Very frequent, I can hardly say that. There have been a good many, there is no question about that, according to report, but I cannot say very frequent.

Q. Did you know a man named Charles Caldwell?—A. I did not.

Q. Did you know of him by reputation?—A. He had been a senator from Hinds County, a State senator; I knew of him. I did not know him.

Q. Did you hear that he was assassinated or killed?—A. I think I heard that he and his brother were killed at Clinton.

Q. Do you know whether that killing has ever been legally investigated or not?—A. I do not; nor have I ever been able to learn precisely the way in which it occurred. I do not know whether the circuit court has been held since or not. I expect there has been one, but I have no knowledge about that.

Q. You stated, in reply to a question put to you by Mr. Bayard, that the State had been peaceful, except the difficulties that have recently occurred in Louisiana since the election. Have you heard of any outbreaks or outrages since the election in Issaquena County?—A. I do not remember to have heard of any.

Q. How about the killing of six or seven negroes in that county some time in December?—A. Well, sir, I have not heard of that, or do not remember it at least.

DID NOT KNOW CALDWELL PERSONALLY.

By Mr. McDONALD:

Q. You say you did not personally know Caldwell?—A. I did not, sir; I do not think I knew him by sight.

Q. Do you know what his character and reputation was for being an orderly or disorderly man?—A. I do not.

Q. Did you ever hear of his being guilty of one or more homicides?—A. I think I have; I merely heard it—nothing more than a rumor; I can hardly trace it even. I have heard his name spoken of and saw his name occasionally in the paper when senator; I know nothing of him personally.

THINKS GENERAL GRANT CORRECTLY STATED THE VIEWS OF THE SOUTH IN HIS REPORT.

Q. Do you remember the visit of General Grant, shortly after the surrender, to the Southern States?—A. I recollect his being at Atlanta, Ga.

Q. Do you recollect seeing the report which he is stated to have made on his return in regard to the condition of the sentiment in the South?—A. I recollect the circumstance; the particulars of the report I do not remember. I recollect the general tenor of the report in the papers; I recollect that—the general tenor of the report in the papers.

Q. From what you remember of it did that correctly state the political views of the South?—A. I think so. I think there never was a people more thoroughly subdued than the people at the South. They were sick and tired of the war, worn out, wearied; with the destruction of the confederate government and the abolition of slavery all cause of enmity between the people of the North and the South had passed away, and I think the feeling of an overwhelming majority of our people was one of readiness to be faithful to the Government of the United States. Of course it was contrary to human nature that they should at once become very ardent in their devotion to it, because it is hard for people to transfer their affections suddenly. It was a feeling of acquiescence and to be true to the Federal Government, because they had no other.

IT WOULD HAVE IMPROVED THE CONDITION OF THINGS IF THE VIEWS OF THE REPORT COULD HAVE BEEN ADOPTED.

Q. If the facts stated in that report in reference to the disposition of the people of the South to accept the situation and enter into a restoration of their relations to the Federal Government had been acted upon, what, in your judgment, would have been the result?—A. I think that there would have been not only hearty allegiance on the part of the people of the South, but a very greatly improved condition of things. I think many of the unfortunate evils which have afflicted this country would have been avoided.

NO ONE FAVORS THE RETURN OF SLAVERY.

Q. Since the conclusion of the war, has there been any party in Mississippi in favor of returning the negroes into slavery?—A. I do not suppose there is a man in Mississippi who was such an idiot or such a simpleton as to indulge an idea of that sort.

Q. In speaking about the restoration of the relations of the Southern States with the Federal Government, did they contemplate the restoration of slavery?—A. No, sir; never—merely of their Federal relations. The people of the South firmly regarded slavery as having gone, and no thought was entertained by anybody of returning to it.

ABOUT THE COURSE OF THE SUPREME COURT.

Q. Do you know what the course of the Supreme Court of the United States was at the close of the war in reference to recognizing the restoration of Federal relations in the conduct of its business?—A. It acted upon the idea of restoration.

Q. Cases in the southern part of the country which had been suspended on the docket during the duration of the civil war, what was done by the Supreme Court in regard to that?—A. I am not personally familiar with that matter.

Q. Do you not know that they were called upon the docket as soon as the war closed, as if not interrupted?—A. Though I do not know such to have been the case, I have the idea that the Supreme Court was disposed to go on as if a temporary disturbance took place, without a change of relations.

Q. Simply interrupted the relations of the people with the Government?—A. That was all; and that was the way we looked upon the war here and the destruction of the institution of slavery, and the destruc-

tion of the confederate government. We felt we were citizens of the United States, entitled to all its rights, privileges, and obligations, without discrimination, let, or hinderance.

THE MURDER OF WILLIAMS BY JONES.

By Mr. BAYARD:

Q. You were asked in regard to the number of homicides in the county. Do you remember the killing in this county of Thomas Williams, county treasurer, by a colored man named Caswell Jones?—A. I heard of it at the time.

Q. Where did it occur?—A. In Jackson.

Q. Do you know the cause?—A. It was an interference with Williams in domestic relations with Jones. It was understood he had been intimate with Jones's wife, and had persisted in it after being admonished by Jones, for which Jones called him to account and killed him.

Q. Both were colored men?—A. Yes, sir. The difficulty was a personal one, not political.

Q. Do you know whether Jones was or was not one of the political supporters and associates of Governor Ames?—A. He was a republican, I understood; but I do not know anything about his association with Ames.

Q. Do you know what was the result of that killing?—A. He was, I heard, tried and acquitted.

Q. By the jury?—A. Yes, sir.

Q. He was justified?—A. That is common law in this country.

ABOUT CAPTAIN KEE.

By Mr. MCMILLAN:

Q. Do you know Captain Kee, of your county?—A. Yes, sir.

Q. Has he resided there since the election there last year?—A. Yes, sir.

Q. How long has he resided there?—A. I have heard of him for several years that I have known him. He has been there for several years at Calhoun Station.

Q. Is he engaged in any business there?—A. I have the idea, sir, that he has been selling goods there; I do not know.

Q. Had he ever taken part in the politics of the State before the election of 1875?—A. Not that I know of; I do not remember of hearing that he took a part in political matters until this last election, when he was nominated for sheriff by the republicans.

ABOUT STATE SENATOR WARNER.

Q. Do you know Mr. Warner, of your county?—A. Yes, sir; I am acquainted with a man by the name of John Alexander Warner.

Q. Had he not resided in your county?—A. He used to represent that county in the senate for four years.

Q. Is not that his voting-place?—A. I supposed it to be. He has no residence there, I think. He occasionally comes to the county and votes. If he has any place of residence in the county I am not aware of it. He spends the most of his time in Jackson, and in the summer season he is abroad.

Q. You are a member of the State central committee?—A. Yes, sir.

THE CHAIRMAN OF THE STATE DEMOCRATIC COMMITTEE TELEGRAPHS A SAFE-GUARD.

Q. Did you hear any threat or intimation that Warner would not be permitted to vote at his place in your county?—A. The only thing that

I ever heard was this: General George, the chairman of the democratic committee here, sent a telegram to Mayor Calhoun, stating that Warner had gone out to Calhoun Station the night before the election, and for us to see to it that no harm befell him. George seemed to have an idea that possibly Warner's personal safety might be in danger, and telegraphed to Mr. Calhoun, and Mr. Calhoun sent the telegram down to Calhoun. It was a precautionnary measure of General George

Q. You don't know how Colonel George became possessed of that impression?—A. No, sir.

Q. He did telegraph?—A. Yes, sir; and stated that Warner had gone up to Madison, and to see that nothing befell him. I do not remember the language exactly. That telegram was sent to Calhoun Station by some gentleman known to us. Warner staid there during this election, I heard.

THE WHITES ALL ON ONE SIDE; THE BLACKS ON THE OTHER.

Q. You say that the separation of the blacks and whites in their political relations is very decided and marked?—A. O, clearly; and the whites are nearly all on one side and the colored on the other, or have been heretofore, up to the last election.

Q. Are there any white republicans in the State?—A. Some few northern men who came here since the war, and a few who had lived here before, but vey few.

Q. There are some who are white native southerners?—A. Some, but very few.

Q. Do the blacks co-operate with the whites in their political movements—those that are in the republican party—do they act with the whites who are republicans?—A. Yes sir.

Q. All white men who embrace the sentiments of the republican party, can they have the lead or go with the blacks in their political matters?—A. I do not know about leading. I think that the northern men can take the lead anywhere. The negroes have an idea that the northern people freed them, and are deluded with the notion that this war was gotten up to free them; that the northern men are their deliverers and saviors, and these white men kept them in slavery.

NEGROES HAVE NO CONFIDENCE IN SOUTHERN REPUBLICANS.

Q. When a native southerner embraces the political views of the republican party, do the blacks vote for them too?—A. Yes, sir; under the stimulus of the efforts of the northern republicans, yet I do not think the southern republicans could do anything at all with the colored people, but for the co-operation of northern men.

Q. They vote for them, however?—A. Yes, sir; they have done so.

UNWISE FEATURES OF THE BLACK LAWS.

By the CHAIRMAN:

Q. You spoke of the measures called the black laws, which you described in part. Were they passed early?—A. Yes, sir.

Q. And, as I understand you, against your judgment as to what was right?—A. No; some features of them were. This attempt to regulate and to provide for the apprenticing of minors who were orphans, and those whose parents were unable or unwilling to maintain them—such features met my approbation; I thought them wise; but the prohibition of the negro, however, to be vendee or grantee of land, or lessee of land in the country, all such provisions received my disapprobation very decidedly at the time.

Q. What was the reason given for the passage of the land law?—A.

I do not know of a reason that was given. I was then on the bench, the circuit bench, from which I was very much engaged in my duties, and I did not visit Jackson personally, and so far as knowing anything of legislative discussion that occurred, except as I got glimpses from the newspaper, I do not know.

THE CONTROLLING MOTIVE OF THE MEN WHO PASSED THE BLACK CODE.

Q. Let me ask you what, in your opinion, was the controlling motive and purpose of the men who passed that law?—A. I supposed this: the slaveholders of the South, of Mississippi, were completely overwhelmed, paralyzed almost by the sudden transition of this large negro population from a state of slavery and subordination and control to a state of freedom, and the feeling in the mind of every man was one of terrible apprehension of what might result from a sudden liberation from control of this large number of colored people, and the legislation of Mississippi was the result of the first immature expression of the efforts of the controlling class in this State to do that which they regarded as a necessity, to regulate and control this body of people with physical power, but who were mere infants so far as a knowledge of the affairs of life is concerned; who had been held in slavery under the regulation and control of the masters who believed it was absolutely necessary to do something to regulate and curb and prevent harm from them. And these laws were the first inexperienced efforts of the people of the South in this direction to do what was thought necessary to be done to prevent great evils.

NO DANGER OF AN ATTEMPT TO ABRIDGE THE RIGHTS OF THE BLACKS.

Q. We have evidence before the committee to this point, that the mass of the white people in Mississippi are now very much in the condition, mental and moral, which you have described as existing at the time these black laws were passed. One gentleman here, who said he served during a large part of the war in the army of Northern Virginia, asserted that during all that period of time he never endured so much mental anguish as to what the negroes might do in the way of assaulting the white people, as he endured during the canvass of 1875, in Yazoo County. We have similar statements from other counties of that state of mind. If that be so, is it unlikely that similar legislation would be had in regard to the negroes?—A. I do not think there is the slightest danger of any attempt on the part of any legislature in Mississippi to abridge or diminish in any shape, manner, or form the rights of the colored people. If you will allow me to state it, I will give you something of the progress of feeling in this State.

When the war ended the people found themselves confronted with this appalling question. This large class of human beings had been regulated and controlled in slavery, and every man thought it was a very serious question as to what would be the result, what course they would pursue or what would be the state of society.

VERY BITTER OPPOSITION TO ALLOWING THE NEGRO TO TESTIFY.

Negroes were not allowed to testify at first. There was a very bitter opposition to that in this State, in a case in which a white man was a party, even though the subject of offense might be the person of a negro. There was a bitter opposition on the part of many to allow any negro to testify—very foolish, undoubtedly.

Our legislature allowed them to testify partially at first, in cases where a white man was being tried for an offense upon the person of a negro, or where the negro was a party, but the idea of making negroes, generally, in all cases competent witnesses did not find favor. At first there

was a bitter opposition to this partial removal of disqualification, but in a very short time experience demonstrated the wisdom of it, and in due time the negro was wholly free from the absurd disqualification, and the people freely acquiesced in the propriety of that, because they had seen it tried, and found it was not so terrible as they had apprehended

THE PEOPLE HAVE REALIZED THE SITUATION.

This first legislation, I say, was an effort of inexperience to do what was generally recognized as something necessary to be done. Finally, all such legislation passed away, and the very legislature that passed these laws repealed them or the most odious features of them. The reconstruction measures came along—the amendments to the Constitution. The people have realized the situation and have embraced the idea of political equality of the colored people and their right to hold office if they can get it, and to enjoy all the liberty and absolute rights of men. Therefore, I do not think the disposition exists or will exist among the people of Mississippi, if they had the uncontrolled and unregulated right to do as they pleased to do, in any manner, shape, or form to abridge in the slightest degree the civil and political rights of the colored people. I can so declare and I think I reflect the ideas of the people of Mississippi on that subject.

NO KNOWLEDGE OF ARMED BANDS THAT INTERFERE WITH RIGHTS OF NEGROES.

Q. I will ask you if there is not in this State a body of young men (many of them who perhaps were not old enough to take a part in the late civil war, but who were possibly youth, growing up) who have not received these ideas of which you speak as being entertained by the best and most intelligent portion of the people of Mississippi; and whether those young persons have not, in many places, organized military or semi-military bands, and interfered with the political rights, and sometimes assaulted the individual rights of the negroes, especially? I will ask whether that is not a fact within your knowledge, or resting upon information which commands your belief?—A. I have neither knowledge or information of any such state of feeling anywhere in the State. I do believe there are here and there individuals who have not correct views in reference to the position and rights of the colored people as human beings and as citizens, but I have no knowledge of any organization here to interfere with the enjoyment of these rights. I have neither knowledge or information that any such exist anywhere within the State.

VERY GREAT SURPRISE THAT NO TAX WAS LEVIED IN 1876 TO SUPPORT SCHOOLS IN THE STATE.

Q. We have received from the auditor of the State a statement of taxes levied by their legislature for several years, I think beginning with 1870, and including the present year, 1876; and I notice that for the year 1876 there is an omission entirely of a levy for the support of the schools, which in the previous years has been 3 mills.—A. Four mills year before last, 2 mills last year.

Q. Do you know enough of the legislative business of the State to give the reason of that?—A. I do not think it is true that there is an omission to levy a tax. This matter is a surprise to me. It is a matter of very great surprise, if that shall be found to be true, because there was, so far as expression was concerned, every disposition, and a greater disposition in the last legislature than ever before, to make a liberal appropriation for the schools.

Q. Here is the statement, which you will perceive shows an appro-

priation in previous years, but indicates that no appropriation has been made for the present year.—A. I cannot but think that that statement is not true. I have no doubt Mr. Gibbs states it correctly from his books, but I think there is a mistake, so far as the school-tax is concerned. I should be very much astonished if I find that this is the case.

THE MOST NATURAL THING IN THE WORLD THAT THE NEGRO SHOULD BE A REPUBLICAN.

Q. Considering the legislation in regard to the transfer of real estate, in regard to the apprenticing children, not only orphans, but those for whom their parents might not make such provision as the officers should think to be adequate, is it strange that the negroes have not accepted the political opinions of the men and associates of the men from whom that legislation proceeded?—A. I think it is the most natural thing in the world for the negro to be a republican; it is not strange, I think, at all.

Q. They are generally republicans, are they not?—A. Yes, sir.

Q. And they are the majority of the State?—A. Yes, sir; supposed to be a small majority of the colored people in the State. I do not know what it is; a few thousand, I suppose.

Q. There are some white persons, native southerners, who are also republicans?—A. Yes, sir.

IF NOT STIMULATED, STIRRED UR, THE NEGRO WOULD NOT VOTE.

Q. If the people of this State, both colored and white, were left to entire freedom of action in political affairs, to follow out their inclinations, and were guided by their own opinions, and acted on their own principles, could it have been otherwise than that the State should have been republican?—A. If every negro should vote the republican ticket that the white republicans in the State should pronounce to be such, I suppose that a majority would be republican; but the negroes that live in this State, if left to themselves, comparatively few of them would go to the polls or care anything about voting at all. If not stimulated, and spurred up, and brought out, and cemented together, under the influence of political organization by leaders, I think there would be comparatively few of them that would vote.

Q. You have said in your opinion it is the most natural thing in the world that they should be republicans.—A. Yes, sir.

POSSIBLE TO INDUCE NEGROES TO VOTE THE DEMOCRATIC TICKET.

Q. Now, presuming that they go to the polls, do you consider it a proper thing to stimulate the negroes, that is, for white persons to go to the clubs and meetings, and use their efforts on the election, and urge them that it is a matter of consequence to turn out?—A. I think it is entirely proper. It depends very much on which party makes the greatest effort. I think it is possible to induce the negroes to vote the democratic ticket, not in whole bodies generally; not an easy thing unless extraordinary effort is made; it depends upon circumstances. Their natural position has been republican, which is the result of force of circumstances, but I think the result of an election would depend very largely upon the exertions made and whether well directed or not. I think it possible to induce the negroes, many of them, to go one way or the other with very little effort, they having but very little political knowledge; and their natural position has been, from the force of circumstances in this State, with the republican party.

THE FOLLY OF THE DEMOCRATIC PARTY CAUSED THE NEGROES TO BAND TOGETHER.

By Mr. McDONALD:

Q. Do you think it a proper course for men to pursue to stimulate the negroes to organize and maintain their clubs and attend elections, by appealing to their fears and apprehensions that the democratic party, if it should be successful in the State, would return them to slavery, and representing that that is the purpose of the democratic party?—A. I think that every man who makes a representation of that sort knows that it is false. Of course I do not agree that to make false representations to the colored people or any one else is a proper course to pursue.

DOES NOT THINK IT NATURAL THAT THE NEGROES SHOULD REMAIN REPUBLICAN.

Q. Could they keep them together by any other kind of appeal?—A. I think not. I think their banding together has been the result of the force of circumstances, and also the course pursued, the folly of the democratic party in Mississippi, as I consider it. But I was in a great minority in that respect. In antagonizing the reconstruction policy of Congress, and in not perceiving what was going to be, and taking advantage of it and making the most of it, I think we lost our opportunity of gaining the ascendency. The result was that the force of circumstances throughout the South drove the negroes to band together, and time must be required to loosen the hold which the republican party has upon them. But I think it is being loosened. I do not say, however, that I think it is natural that the negroes shall remain republican.

Q. They could not be banded together except by appeals to their passions and prejudices as a race?—A. I think that is the only way they can be kept together. Whenever a negro becomes the owner of property he is very apt to vote the democratic ticket or not at all.

THE BEST COURSE TO ACQUIRE AN ASCENDENCY OVER THE NEGRO'S MIND.

By Mr. McMILLAN:

Q. If at the time those who took your views of the question had acted upon their views and organized a political party, embodying those sentiments, would it not have produced a division in the white people of Mississippi as to their political action?—A. I think it would, because the majority of the white people did not take that view.

Q. Then, if you entertained those views, did you not regard your position upon that question as a correct one for the interests of the South?—A. Unquestionably.

Q. And should not that principle have been insisted upon as a political movement in the South by the persons who adopted that view, and why did they not do it?—A. Unquestionably we considered that thing. I regarded the people of the North, as represented in the Congress of the United States, were determined to carry out that policy, and they were determined that Congress should persistently reconstruct the Southern States, and that involved the destruction of the State government. I thought I saw it was inevitable, and without being originally in favor of it, I thought it a part of political wisdom to make the most out of the situation, to accept the inevitable, and pursue that course which would enable us to acquire an ascendency over the negro mind.

Q. If that course had been pursued, the natural effect would have been to obtain an ascendancy over the negro mind?—A. I think so.

Q. And they then would have gone with that party who adopted that position?—A. In a large measure.

Q. It would have produced such a condition of things?—A. Yes, sir.

Q. That would inevitably have resulted in the avoidance of anything like a race issue, would it not?—A. It would have lessened the danger very greatly.

THE NEGRO ALWAYS ON THE SIDE OF THE NEGRO.

Q. You say it would have lessened the danger of it; would it not have so divided the people, so divided the whites, that they would have been arrayed in such numbers on either side that no such question would have arisen from these political circumstances?—A. I think that probable; but when you come to a race question the negro is always on the side of the negro.

Q. But the question is as to avoiding that?—A. I think it would have lessened the danger of it.

RECONSTRUCTION UNFORTUNATE FOR THE SOUTH.

By Mr. BAYARD:

Q. Do you hold that the congressional policy of reconstruction as carried out has increased the danger of the race question, or has created it?—A. I think it was most unfortunate for the South, the reconstruction policy; but still when I saw that Congress was bound to do it, I thought it was wisdom to make the most of it, to accept what we could not help, and try to gain such ascendancy over the colored voters which intelligence will always give.

Q. In 1865, I understand, you went into office, came out of the army and went upon the bench?—A. Yes, sir.

THE EFFECT OF RESTORING STATES UNDER JUDGE SHARKEY'S PLAN.

Q. And the theory of Judge Sharkey, acting as provisional governor under appointment, was to allow the offices to be restored?—A. Yes, sir.

Q. If they had been permitted, what would have been the effect upon your condition, I mean the relations of the State to the National Government?—A. I think that with an amount of time for men's passions to cool and judgment to re-assert its sway, that there would have been a general restoration in the minds and hearts of the people of Mississippi of devotion to the Federal Government, for with the destruction of the institution of slavery there was nothing to produce an alienation of our people toward the North. It is difficult for men to transfer their affections suddenly, and, of course, some little time would have been required for the sorrow for the fallen fortunes of the Confederate government for which we had sacrificed so much; and as soon as a little allowance was made for the assertion of human nature in the bosoms of men, there would have been a cordial fealty on the part of Mississippi to the Federal Government.

MISSISSIPPIANS FEEL THAT THEY HAVE BEEN WRONGED.

That which wounded the people of the South was the feeling of distrust manifested toward them by the Federal Government. They felt that they were not willing to accept our assurances and treat them as though they were candid and sincere. That was what wounded their pride so that they felt wronged. But even now, I have not the slightest doubt that if the Federal Government became involved in foreign war it would find as loyal a sentiment in Mississippi as in any State in the Union, and as great a readiness to uphold its flag and follow in its service again against a foreign foe as anywhere. It is altogether a mistake that

there is any feeling of hostility toward the Federal Government in the hearts of Mississippians. There is a feeling that they have been wronged and their honor not trusted, and their pride has been somewhat wounded; but it is a big mistake to suppose that a feeling of hostility exists toward the Federal Government.

THE REPUBLICAN PARTY THE SYNONYM OF OPPRESSION SINCE THE WAR.

Q. Do they recognize that it has been mainly party action and not the action of the people of the North?—A. They look upon the republican party as responsible for all the evils, and with them the republican party is the synonym of southern oppression since the war.

ABOUT THE SCHOOL-LAWS.

Q. You were asked in reference to the school-tax levy; will you be kind enough, if in your power conveniently, to give us the legislation of the last session?—A. Yes, sir; I will look it up. I will ascertain, because I was astonished about the suggestion of any omission, because there was an expression, and a sincere one, I am sure, to secure a very liberal appropriation for the schools.

Q. Who is the present superintendent—the State superintendent of the schools?—A. T. S. Gathwright.

Q. Who is he?—A. He has been a devoted teacher for many years.

Q. A man of education?—A. Yes, sir. I will add that he is thoroughly imbued with the spirit of maintaining the schools without regard to race, color, or previous condition of servitude.

Q. Who preceded him?—A. A man by the name of Cardozo, a colored individual.

Q. How did he get out of office and how long did he hold his office?—A. He must have held it about two years.

Q. What office had he held prior to that?—A. He had been circuit-clerk of Warren County, I believe.

Q. Do you know whether as circuit-clerk he had been charged with forgery of warrants?—A. Yes, sir; he had been charged and indicted.

Q. Were those indictments found before or after the election as superintendent?—A. Prior, I think. I know he was charged with being a forger, a thief, and a felon—all that sort of thing. I know the disposition on the part of the republicans to shake him off, as being unable to carry such a weight.

Q. Notwithstanding this charge and this reputation, he was elected State superintendent of education?—A. Yes, sir; he was.

SUPERINTENDENT CARDOZO'S COURSE.

Q. What was his course in that office?—A. Well, I only speak from reputation; it was very bad. I can speak from some knowledge of one transaction. I am president of the board of trustees of the Normal School of Tongaloo. I am president of the board of trustees of the State department of that normal school. This man Cardozo, as State superintendent of education, was *ex officio* member of that board. Prior to that, however, I would not associate with him, even officially, or in any way. Cardozo was, as stated, a member of that board, and he was treasurer of the board, and he drew from the State treasury the full appropriation by the State for the maintenance of its department in that university or normal school, and he accounted for about $2,200, and the balance of it he has never accounted for; and the trustees have recently instituted a suit, or ordered it to be instituted, against Cardozo, or the sureties on Cardozo's bond, in Warren County, to recover for his deficit in that appropriation. He drew the money from the treasury and paid over $2,200, and the balance he put in his pocket, I suppose.

Q. How much did he draw in all?—A. Forty-five hundred dollars, I think, and accounted for $2,200, I think—I am not certain that I am accurate in the figures—and suit has lately been instituted, or ordered to be, against him. Martin Carey is one on the bond, but says his name is a forgery. Mrs. Williams is the other one, and her signature will probably be invalidated, as she will undoubtedly claim that she signed it in view of this name being upon it, relying upon it.

Q. You have stated you would not associate, officially or otherwise, with Cardozo. State your reasons for that.—A. His character is most infamous, according to reputation.

INDICTMENTS AGAINST CARDOZO.

Q. Do you know under what indictments he rests at present?—A. No, sir; I cannot say I know. I have understood there were sixteen indictments against him.

Q. For what crimes?—A. For forging, I think, county certificates, county warrants—embezzlement, perhaps. I am not sure as to that.

Q. Are there any indictments for his misconduct as superintendent of education?—A. I have not heard, or do not remember.

Q. You only know of these offenses which you have stated yourself?—A. Yes, sir; I know of his defalcation in the treasury of that board of Tongaloo University.

Q. How was he gotten out of office?—A. He was impeached by the house of representatives of the legislature of Mississippi.

PROVISIONS OF THE SCHOOL-LAWS.

Q. And tried by the senate?—A. No; he resigned, I believe. I do not think he was tried. I think he resigned under impeachment; that is my impression.

Q. In your school-system, what part and authority has the board of supervisors?—A. The board of supervisors, composed of five men, is a county school-board of education. We started out with a county school-board of education; but in 1873 an act was passed abolishing the county school-boards, and making the boards of supervisors *ex officio* a county school-board of education for each county.

Q. Does that board levy a school-tax?—A. Yes, sir; it is allowed to levy an additional sum for payment of teachers; also a school-house fund, as it is called.

Q. Are those levies discretionary with the board?—A. They are, within certain limits.

Q. Are they in the absense of a State appropriation for schools; would the board of supervisors in the respective counties be authorized to levy taxes to carry them on?—A. My understanding is to the extent of the limit, which is, I think I said, two per cent.

Q. Upon what?—A. Upon the assessed valuation of property for State purposes, two per cent—two mills, I should have said, on the dollar.

Q. Under that system, the board of supervisors became a board *ex officio* of education. Who composed the board in Madison County after the election of 1873?—A. Five negroes.

Q. Were any of them educated men?—A. No, sir.

IGNORANCE OF MEMBERS OF THE SCHOOL-BOARD.

Q. Do you know whether any of these five negroes were able to read and write?—A. My information is that one of them could sign his name after a fashion. The capacity and information of that board must have been very limited.

Q. And it was to that board the control of education in that county was submitted?—A. Yes, sir; they levy the county taxes for education and other purposes. The levy in our county was one or two mills, I think.

Q. Could any one of that board calculate the rate of assessment estimates upon sums of money?—A. I have no idea they could. I do not know from personal knowledge, but from information. I do not think there was any one of them that could make any sort of computation; not one of them was familiar with the simple rules of arithmetic.

IMPEACHMENT OF LIEUTENANT-GOVERNOR DAVIS.

Q. You have spoken of the impeachment of Lieutenant-Governor Davis; when was he impeached?—A. In 1875.

Q. What was the nature of the crimes alleged against him?—A. It was said the gravamen of the charge was that he accepted money for a pardon. I think it was stated in various shapes, with different specifications of the charge, that he had pardoned one Valentine or Balentine.

Q. Who was he?—A. A citizen of Lowndes County, charged with murder, as I heard from reports.

Q. Is Davis a white man or a colored man?—A. A colored man.

Q. He was lieutenant-governor?—A. Yes, sir.

Q. Was he elected on the same ticket with Ames?—A. Yes, sir.

NOT PERFECT AMITY BETWEEN AMES AND DAVIS.

Q. Was he generally acting in accord with Ames's administration?—A. Well, I have an impression, sir, that there was not perfect amity between Ames and Davis; but I am not able to state the grounds of difficulty between them. They ran on the same ticket.

Q. Davis was tried by the senate?—A. Yes, sir; by the State senate.

Q. With what result?—A. He was convicted.

Q. He was found guilty of this charge?—A. Yes, sir.

Q. Of taking bribes?—A. Yes, sir; and by the votes of democrats and republicans; it was a mixed vote; the majority was overwhelming.

Q. And he was removed from office?—A. He resigned, after his conviction, I believe; tendered his resignation after his conviction; whether the senate proceeded to pronounce judgment I do not recollect.

Q. The question did not arise whether he could be impeached after removal from office?—A. No, sir; I do not think they furnished a precedent for the Senate of the United States.

Q. What was his relation with Ames's administration?—A. I have no knowledge except that he ran on the same ticket, and received the same vote pretty much.

SHARKEY'S THEORY OF THE POSITION OF THE STATE.

By the CHAIRMAN:

Q. The form of government which Governor Sharkey put in motion in 1865, under the proclamation of President Johnson, did not provide for negro suffrage, did it?—A. No, sir; he just took up the laws as he found them, and undertook to carry on the State government as though only temporarily interrupted. The theory was that it had been deflected from the right path, and being brought back should go on in the right way as before.

NEVER HEARD AMES CHARGED WITH DISHONESTY.

Q. I will ask you, in consequence of questions that have been put to you, whether Governor Ames, in any way, was involved in the dishonesty of Cardozo or the bribery of Davis?—A. I never heard an intimation of a want of personal honesty in Ames; never heard him charged with any personal dishonesty or connivance at it.

The CHAIRMAN. Let it be noted that by the census of the United States for 1870 the population of Mississippi is 382,896 white and 444,201 colored.

JACKSON, MISS., *June* 22, 1876.

Examination of J. A. P. CAMPBELL continued.

I was requested to examine and report as to the State legislation of the last legislature in regard to schools, and I will make this report.

An examination of the legislation of the State in the year 1876, on the subject of the provision made for the support of common schools, has revealed the fact that the levy of "two mills for school purposes," levied by act of 1875, was repealed, but in place of that there was devoted to the support of schools certain United States bonds in the State treasury, and all money coming into the State treasury on account of license to retail vinous and spirituous liquors; the net proceeds of all fines and forfeitures, and proceeds of land forfeited to the State for non-payment of taxes, which will probably aggregate much more than the levy of two mills on the dollar of assessed valuation would have produced. The act of 1876 further provides that if the whole amount provided by it to be distributed for school purposes shall not be as much as "the whole amount derived from a tax of two mills for the last fiscal year, then the State treasurer is hereby authorized and required to transfer from the *general* fund to the *school* fund a sufficient amount to make up such deficiency, which shall be distributed as aforesaid."

The act of 1876 appropriates the full amount derived from a tax of two mills for the last (preceding) fiscal year. So that whatever sum was derived from the two-mill tax in the year 1875 is appropriated for support of schools by the act of 1876, and it is probable that the amount to be realized from licenses to retail liquors, and fines and forfeitures, and proceeds of land forfeited to the State for non-payment of taxes, will exceed the sum derivable from a two-mill tax.

The legislation of 1876 has abolished unnecessary expenses in school-management, and greatly reduced necessary expenses, and thus will be considerably augmented the sum actually applied to the maintenance of schools, which by act of 1876 are required to be maintained for at least five months in each year, and longer, if the money shall be on hand for that purpose. Formerly schools were required by law to be maintained four months in each year. All ($1 each) poll-taxes are appropriated to the "teacher's fund," and the supervisors of counties and mayor and aldermen of towns of more than two thousand inhabitants are required to levy a tax upon the taxable property of county or town "sufficient for school-house purposes, the superintendent's salary, and any deficit in the teacher's fund which may arise." Therefore, it may be affirmed with truth that better provision has been made by the legislature of 1876 for the maintenance of schools in the several counties and towns of this State than formerly existed; and it may be predicted with confidence that schools will be better maintained in future than in the past.

The statement that a tax was in former years levied by the State for teacher's fund, and that none has been levied for 1876, without stating what provision was made for schools as a substitute for the tax levied in former years, is both *suggestio falsi et suppressio veri*, whether so intended or not. It conveys a false impression.

My belief is that the educable children of the State will derive greater benefit from the provision made for them by the act of 1876 than they did from that of former years.

THE SCHOOL-FUNDS AND ACTS RELATING THERETO.

By Mr. CAMERON:

Question. What are these United States bonds in the State treasury, which you appropriated for school purposes?—Answer. About $57,000,

I learned, which had been produced by the investment of some fund of the State. The investment was made year before last, and it amounted to about $57,000 in bonds.

By our constitution, on our last election there was required to be accumulated in the treasury a fund derivable from certain sources—for instance, liquor-licenses, fines, perhaps, and the fund produced from the sale of lands of the sixteenth section, and funds of various other sources of revenue, were required to be accumulated in the treasury and placed to the credit of the school-fund, and the legislature two years ago proposed an amendment. They had thought—those who had taken any interest in it—that the fund that had arisen from this interest amounted to comparatively little, and that it was better to use currently the sources of revenue instead of accumulating them in the treasury, and they proposed an amendment, which was approved by the people.

Q. Authorizing the expenditure of the capital instead of the interest?—A. Yes, sir; and this $57,000 was a part of that; and the act of 1876 provides for these bonds being disposed of for present use.

Q. What amount of money was derived last year from licenses for retailing liquor?—A. I made inquiry of the treasurer for information; but he told me he was not able to inform me, and that information I did not obtain. It is conjectural as to what sum it would raise. It is known to be large, but what amount he said he could not tell. My own opinion is that it will yield as much as $200,000.

Q. Have you any statistics to show that?—A. I have none, except the general knowledge I have of the probable general average of licenses to grocers, and I know the number of counties in the State. The amount of the license is not less than $300 for each license. That is the lowest. It may be as high as a thousand dollars, determined by the board of supervisors and municipal authorities of the town, and ranges between $300 and $1,000, and cannot be less than $300 nor more than $1,000; it depends upon the locality. In some places it is one thing and some places another.

Q. Where have these taxes been hitherto applied, these licenses?—A. They have gone into this common-school fund, and have been invested in State warrants, which were accumulated and stood to the credit of the common-school fund. The interest was appropriated annually for the use of the schools, but since the change in the constitution the fund itself is subject to the control of the legislature.

Q. Then, generally, the change in the constitution there was the expenditure of the capital which you have mentioned, instead of its accumulation?—A. Yes, sir, that is the nature of it.

Q. And the act of last winter is in accordance with the provision of the constitution which provides for the expenditure of its capital sum?—A. Yes, sir.

By the CHAIRMAN:

Q. You found no tax, did you?—A. No, sir; but there is an ample provision made as a substitute, which I have shown.

ACTS OF THE LEGISLATURE OF 1876 AFFECTING THE SCHOOLS.

By Mr. CAMERON:

Q. You stated here—I do not remember the language, but in substance—that the unnecessary expenses of the schools had been cut off, and necessary expenses had been greatly decreased, something to that effect?—Yes, sir; the unnecessary expenses have been cut off.

Q. What unnecessary expenses do you refer to as having been abolished?—A. Well, the custom was—I do not know how universal, or

whether universal, or how extensive—to rent offices for school superintendents, and make allowances for stationery, and things of that sort, which I regarded as wholly unnecessary expenses; and the reduction of necessary expenses to which I allude is the great reduction in the superintendents' salary, and things of that sort.

Q. They cut down the superintendents' salaries?—A. Yes, sir.

Q. What were the salaries prior to the legislation of 1876?—A. They vary in amount in different counties.

Q. State, as near as you can, what they average.—A. Some of them $500, some $1,200 or $1,300. I cannot state this. The legislation of 1876 just fixes the superintendents' salaries so that they shall be just one-fourth of what they were before.

Q. What were they before?—A. They average from four or five hundred dollars up to fourteen or fifteen hundred, speaking from general recollection; but the legislature of last winter provides, in every instance, that they shall be reduced to one-fourth.

Q. And they were reduced?—A. Yes, sir.

ABOUT THE PAY OF COUNTY SUPERINTENDENTS.

Q. Do you really think that where the salary of a county superintendent has been reduced to $100 that a competent person can be found to discharge the duties of the office? Is it not rather a small salary?—A. I do not think there is any necessity for a county superintendent at all—no salary whatever. They have in Madison County, one of the wealthiest counties in the State, a graduate from South Carolina or Georgia, a man of first-rate character, and his salary is $210; a man of high character, who accepted the office with the general consent of republicans and democrats. I do not think there would be any difficulty in any county in Mississippi to induce a man to devote the little attention which they generally give, which amounts to but very little. The examination and giving certificates to teachers, approving their pay-certificates, and things of that sort, with occasional attention to schools, and that is very rare, comprise the principal duties of the office.

Q. Are they not required to make annual or semi-annual examinations of schools in the county?—A. I do not think they are; I do not remember and cannot say about that, yet I think their chief duties consist in the examination of school-teachers and to see that there are schools, where there are not schools to establish schools, and have a general supervision of the schools and employment of the teachers—things of that sort; yet I think their duties are, generally, performed at their homes. I know that Beechan had an office in the county, and I think his duties mainly were performed there. I frequently met him, and he had his sign up at the door of his office.

NECESSARY EXPENSES REDUCED.

Q. Then the necessary expenses which were cut off by the legislature last winter were the reductions of the county superintendents' salaries to one-fourth of what they were prior to that time?—A. Yes, sir.

Q. What other necessary expenses have been reduced?—A. Those were the necessary expenses that were reduced, I suppose part of the necessary expenses, though really I am of the opinion that there is no necessity for a county superintendent at all. I think that any officer of the district might perform the duties as incident to his general duties.

Q. And the unnecessary expenses which have been cut off are the amounts that were appropriated for office-rent and stationery?—A. Yes, sir; things of that sort. I do not know whether that was universal but I know that it existed to some extent.

Q. How many schools are there in Madison County?—A. I am unable to answer. I have no idea; no approximate estimate could I make.

Q. Can you state the number of schools in any county of the State?—A. No, sir.

Q. Can you state the whole number of schools in the State, or make an approximation?—A. No, sir; I have no information, and the information which I have given you was given on account of the request of yesterday. It is a subject that I am not familiar with at all.

REDUCTION OF TEACHERS' SALARIES.

By the CHAIRMAN:

Q. Was there any reduction made in the pay of teachers?—A. Yes, sir.

Q. To what extent?—A. Considerable; I am not prepared to give the figures.

Q. Do you know what salaries were paid previous to this year?—A. I think the average from $40 to $80. I have an impression of that sort.

Q. Monthly salaries?—A. From $40 to $80 per month.

Q. What reduction has been made?—A. I have an impression, but I do not know positively, that $40 is the pay now.

Q. For men and women equally?—A. I do not think any distinction is made in the law.

Q. Forty dollars is what is paid now?—A. I think so; I am not certain of that. It is an impression that I have derived in some way. I particularly examined the matter to which my attention was directed on yesterday. It is a subject I am not familiar with.

I find that there are some inaccuracies in my testimony delivered this morning, which I beg to correct and have attributed to my want of familiarity with the subject.

A reference to the law shows that salaries of county superintendents of education are now one-*fifth* of what they were, instead of one-*fourth*, as I thought.

The *minimum* sum at which licenses to retail liquors may be granted is three hundred dollars in incorporated towns of one thousand inhabitants, and two hundred in the country, out of towns.

I find also that I was in error in supposing that there was any express abolition by the legislature of 1876 of any *unnecessary* expenses, by name, about schools, but I re-affirm the statement of the large *reduction* of expenses. My statement that unnecessary expenses had been abolished was an inadvertence arising from the idea of a general curtailment of the expenses of administration, and the express abolition of some which I thought embraced school-matters, but about which I was mistaken.

JOHN THOMAS PRIESTLEY—MADISON COUNTY.

CHARACTER OF THE CANVASS.

JACKSON, MISS., *June* 22, 1876.

JOHN THOMAS PRIESTLEY sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Madison County, in this State.

Q. How long have you lived there?—A. I have lived there all my life; 36 years.

Q. You were there, of course, in the fall canvass of 1875?—A. Yes, sir.

Q. During the last canvass with which political party did you act?—A. I voted with democrats.

GOOD DEAL OF TALKING BUT NOTHING ELSE.

Q. What was the character of the canvass as to peace and quiet order?—A. Well, sir, there was a good deal of talking, but nothing else, I believe, sir.

Q. Do you know of any violence or intimidation practiced towards any class of men during the canvass, to prevent their voting as they desired?—A. No, sir; I don't think I know an instance of that kind.

Q. Were you at the polls on the day of the election?—A. Yes, sir.

Q. Did you vote?—A. Yes, sir; I was one of the officers of the election.

Q. What was the character of the election?—A. Quiet as I ever saw.

Q. Do you know a man named P. C. Powell, a colored man, who describes himself as a preacher?—A. I know a man named Pleasant Powell, I believe, a colored man.

Q. He lives near Calhoun precinct?—A. I think he does, sir. I don't know exactly where he does live.

DID NOT TAKE A BALLOT FROM THE HAND OF ANY VOTER.

Q. He said, here, that at the polls on that day you took some scratched tickets out of the hands of the colored men and threw them on the ground, and the clerk registered their ballots as having been cast: Have you any knowledge of the transaction?—A. None whatever, sir. I did not receive the ballots from the voters. I received them from Judge Cunningham. He was also an officer of election. I placed them in the box.

Q. Is that the late judge of the circuit court of your county?—A. Yes, sir. He received the votes from the parties, handed them to me, and I put them in the box.

Q. Were you assisting him at the election as one of the judges?—A. Yes, sir.

Q. Did you take the ballot from the hand of any voter at all during that day?—A. No, sir; not one. All the votes passed from Judge Cunningham to me.

DEPOSITED EVERY VOTE HANDED HIM BY JUDGE CUNNINGHAM.

Q. Judge Cunningham was the presiding judge of the election?—A. Yes, sir.

Q. A republican?—A. Yes, sir.

Q. He conducted the election?—A. Yes, sir; he was one of the judges.

Q. He took the ballot from the voter?—He received the ballot and passed it to me, and I put it in the box.

Q. Excuse me for asking you the question, but did you fail to put every ballot in the box that Judge Cunningham handed you that day?—A. No, sir; to the best of my belief, I did it.

Q. Did you take that day from any voter at or near the polls his ballot, open it, and throw it on the ground?—A. No, sir, I did not.

Q. Did you do anything of that character at all?—A. No, sir; nothing that I know of.

Q. Did you see this man Powell that day at the polls?—A. I could not say now whether I did or not. I have seen him frequently; I suppose I saw him that day.

NO KNOWLEDGE OF VIOLENCE OR INTIMIDATION.

Q. Do you have any knowledge of any acts of violence or intimidation throughout that county, either in the canvass or during the election?—A. No, sir, I do not. There was a good deal of talk and drum-beating, and all that sort of thing, that frightened some of the ladies, my wife for one; but I do not think any men were intimidated at all.

ONLY KNOWS THAT HE HEARD DRUMS BEATING AT NEGRO CHURCHES.

Q. What was the character of the drum-beating?—A. There were two clubs, one on each side of me; they met at churches.

Q. Were those meetings of negroes?—A. I suppose so.

Q. Were those churches negro churches?—A. Yes, sir.

Q. Were those political meetings?—A. I suppose they were.

Q. Were they held during the day or night?—A. At night, sir.

Q. How late did they run into the night?—A. I could not answer definitely; sometimes very late, sometimes not so late.

Q. Were they always accompanied by the beating of drums when marching?—A. It was not at marching. They did not go by my house marching. I could hear those drums beat at the churches.

Q. How far were the churches from your house?—A. I suppose about a mile and a half; they were about three miles apart. I lived about half way between them.

Q. Were the drums beaten at the churches, or as they marched to and fro?—A. I think they were beaten at the churches, from the best I could locate them.

Q. Have you any knowledge of these parties being fined for this beating of drums at night through the country by the mayor of Canton?—A. No, sir; I heard something of some parties being arrested for that I don't know what disposition was made of them. I do not even now know that they were arested; it was all hearsay with me.

By Mr. CAMERON:

Q. Can you swear that you saw this man Powell at the polls on the last election-day at all?—A. O, no, sir; I could not swear, because I could not swear definitely to but very few men.

G. R. KEMP—MADISON COUNTY.

QUIET NATURE OF THE CANVASS.

JACKSON, MISS., *June* 22, 1876.

G. R. KEMP sworn and examined.

PERSONAL STATEMENT.

By Mr. BAYARD:

Question. Where do you reside?—Answer. In Madison County, Mississippi.

Q. In what part of Madison County?—A. Near Calhoun Station.

Q. Did you live there last fall?—A. Yes, sir.

Q. With what party did you act during the canvass?—A. The democratic party.

THE CANVASS QUIET.

Q. What was the character of the canvass through the county?—A. It seemed to be quiet. I never saw a more quiet election than we had. We had no disturbance at all at the polls on the day of the election in our county.

Q. During the canvass, was any intimidation used by anybody to prevent any class of citizens from exercising their rights of suffrage?—A. Not that I heard of, either on one side or the other.

KNOWS POWELL, THE COLORED PREACHER.

Q. Do you know a preacher named P. C. Powell?—A. Yes, sir.

Q. Were you at the polls on election-day?—A. Yes, sir.

Q. For some time?—A. Yes, sir.

Q. Did you see Mr. Priestley there?—A. Yes, sir.

Q. What did Mr. Priestley do on the day of election?—A. I think he was an officer there that day, but I do not remember what position he held.

Q. Was he not one of the judges?—A. I think he was.

Q. Do you remember Judge Cunningham having presided?—A. Yes, sir; he was the presiding judge.

Q. When you voted, to whom did you hand your ticket?—A. I do not remember.

Q. Do you remember who took the ticket and who put it in the box?—A. I believe I deposited my ticket myself in the box, to the best of my recollection.

Q. Did you see Mr. Priestley there during the day pretty much?—A. Yes, sir.

Q. Did you see him at any time during that day take scratched tickets from the hands of the colored men and throw them on the ground?—A. No, sir.

Q. Did you hear anything like that?—A. No, sir; I do not think anything of the kind was done.

NEVER MADE ANY THREATS TO POWELL.

Q. This man Powell, when examined as a witness, stated that you said to him that if your ticket was not elected there would not be a live negro left in the county?—A. No, sir; I never in the whole course of my life had two words of conversation with the gentleman either before or since the election, or on election-day. I never spoke half a dozen words to him.

NEVER MADE ANY THREATS TO ANY ONE.

Q. Did you use that remark to anybody on that day?—A. No, sir.

Q. Did you make any threats at all as to what would happen if you did not carry the election?—A. No, sir.

Q. Is there any truth whatever in his statement about your having used such language?—A. No, sir; there is no truth in it.

Q. Do you know of the fining of some colored people for beating drums at night?—A. No, sir; I do not. I don't know of any people being fined for beating drums.

CLUB MEETING QUIET, EXCEPT THE DRUM-BEATING.

Q. Were there many negro clubs in that county?—A. Yes, sir; there was one club at Judge Cunningham's place that kept a continual beating at night that disturbed my family very much, and my wife was afraid to stay at home part of the time.

Q. How far was it from your dwelling?—A. About one mile and a half.

Q. Did they parade at night?—A. Yes, sir; they held their meetings all at night; but I will say for them that they did nothing but beat their drums. It was in as quiet a way as we held our meetings, except the drum-beating.

PERSONAL RECORD.

By the CHAIRMAN:

Q. How long have you lived in the county?—A. I have been here four years.

Q. Where were you from?—A. Originally from Maryland. I moved from Virginia here, though.

Q. When did you move from Maryland to Virginia?—A. Since the war; I do not remember, though, what year.

Q. How long have you known Mr. Powell?—A. Nearly ever since I have been here. He lives within about a mile and a half of my place.

Q. Has he been a preacher there all the while since you have known him?—A. I cannot answer you about that.

Q. What is your business?—A. I am planting.

Q. On how large a scale are you engaged?—A. I have quite a large place.

Q. Is it your own?—A. I am an agent for a gentleman from Pennsylvania.

WAS AT THE POLLS ALL DAY.

By Mr. CAMERON:

Q. How long did you remain at the polls?—A. I remained there nearly the whole of the day. I was backward and forward. I do not suppose I was away more than fifteen or twenty minutes.

Q. What were you doing there?—A. They held the election in my mill. I had the mill open.

Q. What were you doing in reference to the election?—A. I was not doing anything; standing around the mill.

Q. Were you distributing tickets?—A. No, sir; I may have distributed one or two tickets. To my knowledge, I believe I did distribute two tickets to two men from my place who wanted to vote, and I gave them tickets.

Q. How long did you observe Powell there?—A. He was there the most of the day; I think all the day. He made himself very conspicuous in a great many ways.

CHARLES BRILL—MADISON COUNTY.

INTIMIDATION.

JACKSON, MISS., *June* 23, 1876.

CHARLES BRILL sworn and examined.

By the CHAIRMAN:

PERSONAL STATEMENT.

Question. Where do you reside?—Answer. I reside in district No. 2, Madison County.

Q. How long a time have you resided there?—A. For three years and a half.

Q. You are German by birth?—A. Yes, sir.

Q. You may state whether or not, shortly before the election last fall, you were advised by the democrats to leave the country.—A. I have.

WAS ADVISED TO LEAVE THE COUNTRY.

Q. You may state to the committee just what they said to you.—A. Several members of the democratic-conservative party, of the democratic-conservative club, advised me to leave the country because they thought my life would not be safe there, because plans had been made to assassinate me because I sympathized with the republican party, and because I would not join their club; and they consider everybody who does not join their club and is not with them, he is on the other side against them; and they would be the first which would be put out of the way.

Q. Who advised you that they thought it was best for you to leave the country?—A. A man named Luke Williams.

Q. Where did he live?—A. He lived at the same place.
Q. What is your post-office?—A. Vernon.

WHY WITNESS WAS NOT ASKED TO JOIN DEMOCRATIC CLUB.

Q. You may state whether or not you were asked to join the democratic club by anybody.—A. I have not been asked to join, because they knew very well I would refuse.
Q. They knew very well what your political sentiments were?—A. They knew, and they knew I sympathized with the republican party, although I have not taken any active part for either party, but I very frequently expressed my opinion in politics, so they very well knew that I sympathized with the republican party.

PERSONAL RECORD.

By Mr. BAYARD:

Q. When did you come to America?—A. In 1870.
Q. How old were you then?—A. I am 28 years old in September.
Q. Then you were 22 years old when you came here?—A. Yes, sir.
Q. Where did you land?—A. In New York.
Q. When did you make declaration of intention to become a citizen?—A. I do not recollect the time, but I remember when I came over in New York.
Q. When were you naturalized?—A. I have not been naturalized at all; have not taken out my naturalization-papers yet.
Q. Then you have never voted yet?—A. No, sir.
Q. And you have no right to vote yet?—A. No, sir.
Q. What is Luke Williams?—A. He is a farmer.

OTHERS THREATEN WITNESS.

Q. What is your occupation?—A. I am a merchant.
Q. You keep store?—A. Yes, sir; clerk and keep store.
Q. Did any one else besides Luke Williams say this to you?—A. I have been informed by another gentleman, by the name of Charles, that plans for my assassination had been made by that party.
Q. Did anybody but Williams say this to you personally?—A. He told me directly what I said, and others told me more directly that they would go for me, and not only for me, but for every other republican, because they should not have any existence in that county.
Q. Did anybody but Williams ever tell you that you would be assassinated? He told you that you had better go?—A. Yes, sir.
Q. Who?—A. Kimball, for one.
Q. What did he say?—A. He said it would be good for me to leave.
Q. Who else said it to you?—A. I do not know of anybody else who said it to me directly.
Q. Did they say they wanted you to join their club?—A. No, sir.
Q. Did anybody ask you to do that?—A. No, sir.

By Mr. CAMERON:

Q. What did Dr. Charles say to you?—A. We were speaking one day about certain political matters, and he told me that the party was very much opposed to me, and he told me confidentially that there had been plans laid to assassinate me.

By Mr. MCDONALD:

Q. Have you been making any political speeches through the country?—A. No, sir; I have not.
Q. None at all?—A. Never.

DAVID E. JIGGETTS—MADISON COUNTY.

INTIMIDATION.

JACKSON, MISS., *June* 23, 1876.

DAVID E. JIGGETTS sworn and examined.

PERSONAL STATEMENT.

By Mr. CAMERON:

Question. Where do you live?—Answer. Vernon, Madison County, Mississippi.

Q. How long have you lived there?—A. I have resided there ever since 1853. I went there in 1853.

Q. Of what State are you a native?—A. North Carolina.

Q. How long have you lived in Mississippi?—A. Since 1853.

Q. To what political party do you belong?—A. The republican party.

Q. Did you take any part in the recent civil war?—A. No more than I could actually avoid.

Q. Were you in the State at that time?—A. Yes, sir; I will state that I desired to leave, but my father said that if I did he would disinherit me, and as he had a handsome estate, I did not care to relinquish my right to it.

A NEGROE'S HOUSE FIRED INTO.

Q. You may state whether or not, during the canvass preceding the last election in the State, armed bands of white men traversed the county of Madison to any extent; and, if so, to what extent.—A. I do not know of my own knowledge, but I knew of a republican colored man's house there entered at night, and fired into, and he barely escaped. It was on account of political views, I suppose.

Q. About what time was that?—A. A few weeks preceding the election.

HID OUT FROM THE WHITES.

Q. You may state whether or not any colored men were driven from the county prior to election on account of their political views.—A. I do not know of any that were driven. They were absent a few days, hid out from the whites, but they returned home about the time the compromise took place.

REPUBLICANS THREATENED.

Q. You may state whether or not the republicans were threatened.—A. Yes, sir; after this Clinton riot, and after the republican meeting at Rolling Fork, the leading democratic members of the democratic club said they would be damned if the republicans should hold any more meetings in that county, and the white republicans did not wish to bring about a conflict of the races.

Q. How many republican party meetings were held in the county of Madison?—A. I know of only one, I think, they had; that was some time about the time of the Clinton riot. I know that I heard that evening, and I was sent after at the meeting. There was much feeling, and I left before it was over. I did not wish to be drawn into it, and anticipated a difficulty.

Q. Do you know why no other meetings were held in the county during the canvass?—A. On account of threats made in regard to what would be done.

WHY THE COMPROMISE WAS MADE.

Q. What was the nature of those threats? State generally.—A. It

was that if the republicans had any more meetings they would be dispersed by violence, and the white republicans would be the men who would suffer first, who would be the targets on the occasion.

Q. Under what circumstances was that ticket agreed upon?—A. I was not present at the time it was done. I know simply what the republicans told me, to prevent any violence that might take place on the day of election. They thought it would be better to make this compromise up there than to have so many innocent men murdered, or at least so many liable to be murdered.

PERSONAL RECORD.

By Mr. BAYARD:

Q. Were you a candidate at the election?—A. No, sir.

Q. Did you ever hold any office there at all?—A. I held during the last two years, previous to this, the office of magistrate, justice of the peace.

NO THREATS MADE TO WITNESS PERSONALLY.

Q. Did you ever have any threat made to you during the canvass by anybody?—A. I never had any made to me personally. I heard of a great many.

IF HE COULD KILL TWO MEN HE WOULD DIE EASILY.

Q. Were you ever present when any threat was made to any one in regard to politics? If so, give the name of the person who made the threat, and the person to whom it was made.—A. I do not know. I heard one young gentleman remark that if he could kill two men, leading republicans, he could die easily. At Madison Station that remark was made on the evening or the next, shortly after the Clinton riot. He made the remark, that if he could kill two men, that he was willing to give up his life.

Q. Was that the only occasion?—A. That is the only one I particularly remember.

Q. Do you remember that young man's name?—A. Yes, sir; but I do not care to speak of it particularly. I remember his name.

Q. He was under excitement arising from the news from this Clinton riot?—A. Yes, sir. I would not care to call his name. He was laboring under a little excitement. He is of a very excitable temperament. He is about twenty years of age.

Q. Do you know any person engaged in this assault upon this colored man's house?—A. No, sir.

DID NOT SEE ANY ARMED BANDS.

Q. Did you ever see any of those bands of armed men riding out through the country?—A. No, sir; I did not.

Q. Have you any personal knowledge of these threats having been made against republicans as to the republican meetings, or did you state what you stated here as rumor and hearsay only?—A. I do not know how to answer that question exactly. I did not say it was rumor. These bands, they were moving to attack those they designed. I would answer, it was more upon rumor and hearsay than upon direct knowledge.

Q. State what direct knowledge you have, and give the names, and give the cases.—A. I say it was more upon rumor than upon any direct knowledge.

CANNOT STATE A CASE OF HIS OWN KNOWLEDGE.

Q. Are you able to state a case of your own knowledge?—A. I cannot positively.

Q. Do you know Judge Cunningham? Is he a republican?—A. Yes, sir.

Q. Is he a gentleman of high standing?—A. Yes, sir.

Q. Of high character?—A. Yes, sir.

Q. Do you know Captain Ross, the sheriff?—A. Yes, sir.

Q. Is he a man of high character?—A. Yes, sir.

Q. You have confidence in him?—A. Yes, sir.

Q. Are you aware that Judge Cunningham and Captain Ross assisted in forming the compromise ticket?—A. I heard Captain Ross state that he assisted.

Q. Were you present when the compromise was formed; have you any knowledge except from information?—A. No, sir.

AT THE POLLS ALL DAY AS CLERK OF ELECTION.

Q. Did you vote the ticket yourself—the compromise?—A. All with the exception of one or two names.

Q. How long were you at the polls on election-day?—A. All day. I was clerk of the election.

Q. Did you see any act of violence committed on any voter?—A. I was in-doors. I saw no appearance of violence.

DEMOCRATS CAME UP IN DOUBLE FILE.

Q. Have you knowledge of any act of violence committed on the day of election upon any voter?—A. I saw upon the day of election democrats form outside, and every man came up in double file. I do not know whether armed or not; I suppose they were.

Q. Did you see them?—A. Yes, sir.

Q. Did you see their arms?—A. I did not see any arms; I supposed they were armed.

NO VIOLENCE.

Q. Did you see any act of violence committed by the democrats on that day at the polls?—A. No, sir.

Q. Did you witness any act of intimidation of a voter that day at the polls?—A. No, sir.

ALEXANDER WARNER—MADISON COUNTY.

CONDUCT OF THE CANVASS.

WASHINGTON, D. C., *July* 15, 1876.

ALEXANDER WARNER sworn and examined.

PERSONAL STATEMENT.

By Mr. BOUTWELL:

Question. Where are you now living?—Answer. In Madison County, Mississippi.

Q. At or near what town?—A. At or near Canton; my post-office address is Calhoun.

Q. How long have you resided there, and where did you reside before you went there?—A. I resided in Connecticut. Went into the Federal Army from Connecticut. After the close of the war I settled in Mississippi; bought property there in 1865—bought a plantation.

Q. Of what extent and value is the plantation?—A. The price paid was $37,500.

Q. Do you still own it?—A. No, sir; I sold that about four years ago. I own a small one near by—close to it.

Q. Have you held any office in Mississippi?—A. I have, sir.

Q. What offices, and during what time?—A. The first office to which I was appointed was while the Army occupied Mississippi, or at least previous to reconstruction. I was one of the board of registrars of the county. I was president of the board of registrars. I was appointed by General Ord secretary of state of the State of Mississippi. In the election I was elected member of the senate. I was a member of the State senate for six years.

Q. With which political party have you been connected?—A. The republican party.

Q. During the year 1875 were you holding office?—A. Yes, sir; my term as senator expired the 1st of last January.

MAJOR-GENERAL OF MILITIA.

Q. Were you a candidate for any office?—A. I was not. I omitted to mention another office I was appointed to. That was major-general of the State militia.

Q. When were you appointed major-general?—A. I was appointed in '74 or '75; I cannot tell you just now.

Q. How long did you continue in that office?—A. Until I was removed by the last legislature. They passed a bill removing all militia officers of the State.

WAS NOT ORDERED ON DUTY.

Q. You may state what was done in regard to the organizing of the militia.—A. Now, in regard to that—so far as my being major-general—by virtue of that office I had nothing to do with the organizing of the militia. It is necessary to state that what was done was done by the direct order of the governor. I was not ordered on duty. In organizing or conducting the militia, the orders were given direct, and not through me.

CHAIRMAN OF THE STATE CENTRAL COMMITTEE.

Q. Were you in any way in 1875 connected with the republican organization in any official capacity?—A. Yes, sir.

Q. In what capacity?—A. I was chairman of the republican State executive committee.

Q. State what took place during the canvass as it came to you in your capacity as chairman.—A. Well, it is difficult for me to state that, from the fact that I have no letters and no letter-book with me—no copies of any papers of any kind; and, so far as conducting the campaign is concerned, I have no documents to show. It is all from memory.

THE CAMPAIGN OF 1875 DIFFERENT FROM ANY OTHER.

Q. Give us your best recollection of it.—A. Well, sir, I would say that I had been chairman of the republican committee, I think, for four years. I conducted four campaigns. I cannot tell the time of our State convention; I don't recollect the date—about September when the campaign was commenced. I was satisfied it was going to be conducted in a different manner than it had been previously. Everything indicated that; and I felt satisfied that the will of the people could not be expressed in the State of Mississippi in the coming election without some kind of protection.

Q. How early did you become so satisfied, and for what reasons?—A. I regret that I cannot give the date of our State convention. I have nothing with me to give me dates; but soon after the convention I became satisfied that the will of the people could not be expressed at the

polls; and I will state to the committee that I came to Washington in company with other gentlemen to see the President and the heads of the Departments, to see what protection our people could have.

THE COMMITTEE SATISFIED THAT THERE WOULD NOT BE A FAIR EXPRESSION OF OPINION.

Q. At what time did you come to Washington?—A. About the time of the appearance of the letter of Attorney-General Pierrepont to Governor Ames; that will fix the date; soon after that I returned to Mississippi. I gave my time, most of it, to the campaign in the State; I was most of the time at Jackson, at the committee-room. But there was a feeling and spirit abroad in the State that it was evident that we were not going to have a fair election; that spirit was manifested there; it was broadcast over the State—troubles in one county, disturbances another, riots in other places, and public meetings were broken up. It was so continually coming to the ears of the committee that we were satisfied that we could not do it. Nevertheless, we did the best we could.

It was difficult to get speakers to canvass the State. In fact, we could not do it. There were few meetings held under the auspices of the State committee, but these were mostly on the line of railroads in the eastern and in the northern part of the State. In each county they had to conduct the canvass as best they could.

A PARTY OF HORSEMEN WITH A FLAG OF TRUCE.

Q. What was the nature of the disturbance?—A. I will cite one. They had a riot at Clinton. I didn't attend that meeting, but I feared that they might have trouble, knowing the feeling that was in existence. I think that night or the next night I started for Washington. There was a large company went out right under my window—I was boarding in the hotel—I should judge twenty or thirty horsemen. They went out with a flag of truce to try and stop the indiscriminate murder of citizens. The riot commenced on Saturday; on Sunday they were killing and shooting through the day.

Q. You say you feared there would be a riot. What led you to fear a riot?—A. It would be difficult for me to tell why. There were so many things that were transpiring, and all looked as if we were going to have a troublesome campaign. A friend of mine was in my room that night, and I was going up on the train. I told him please go down to the telegraph-office and see if he could hear any news from Clinton. I feared they were going to have trouble there. He came back and told me that they were fighting.

BUT FEW REPUBLICAN MEETINGS TO BE ALLOWED IN THE STATE.

Q. Did that feeling come from anything you knew of the feeling of the republicans?—A. No, sir; from the belief that there were going to be few republican meetings allowed in the State.

Q. Why?—A. Because they were not going to allow them.

Q. Who were not?—A. The democratic party was going to prevent the republicans holding meetings.

Q. Were the disturbances confined to a few counties, or was it extensive over the State?—A. It was extensive; but in some parts they had no trouble.

THE MOST TROUBLE IN STRONG REPUBLICAN COUNTIES.

Q. What parts were those?—A. In many of the counties in the southern part of the State, some in the interior and northern. The most trouble was in the counties where there were large republican majorities,

Warren County, Yazoo County, Monroe County. Where there was a democratic majority there was very little trouble and few complaints.

WAS NOT PRESENT AT ANY TROUBLE.

Q. Were you present when there was any trouble at any time?—A. No, sir. I think I addressed one meeting in one county—in Yazoo County—a short time before the riot.

Q. Where was that held?—A. In Yazoo City. A good many democrats were on the stage while I was speaking.

AT CALHOUN ON ELECTION-DAY.

Q. Where were you on the day of the election?—A. I was at my voting-precinct, in Madison County. During the campaign, I was boarding there at the hotel—I refer to Jackson—and the night before the election, and on, I think, the 4 o'clock train, I went up to my place. The polls were right close to my store, within a stone's throw of it. I went up the night before, so as to be there the day of the election.

Q. Was this at Canton?—A. It was at Calhoun; my store and property is close by there.

ADVISES AGAINST THE COMPROMISE.

Q. Did anything unusual occur on the day of election at Calhoun?—A. Well, sir, it will be necessary for me to go back a little to answer that question. In my county, the republicans made their nominations as usual, and it went on from that time, with no particular disturbance, until, say, two weeks before the election—about ten days prior to the election—perhaps two weeks. I had news that the republican executive committee of that county were being forced to make a compromise with the democratic party.

DEMOCRATS NOT KEEPING THEIR PEACE PLEDGES.

I complained to Governor Ames that the democrats were not keeping their peace-pledges. I telegraphed to the chairman of the committee to come to Jackson. He came down, and I had an interview with him and advised against any compromise.

Q. Give the name of the chairman of the county committee.—H. R. Smith, postmaster at Canton. I telegraphed for him to come down; I saw him and protested against such action on the part of the party, to compromise. It was a county in which there had not been less than from fifteen to eighteen hundred republican majority, and up to two thousand. I expressed myself as opposed to it. I left that night.

COMPROMISE EFFECTED.

In a day or two from that, I think it was the next day, the democratic and republican committees in the county met and made a compromise ticket; they took off the republican for sheriff and they put another man on there; they took two members of the legislature, republicans, and put two democrats, and made several other changes.

Nearly all the committee, the next day after this happened, came down to see the governor and myself.

I asked them in the governor's office why they made any such compromise. They said that they had to do it. I asked them if it was through fear. They said not through fear personally, but to save bloodshed.

Now, the only document that I have is one I happened to have which I found in my valise. This is the address that was issued by the republican county committee after this compromise.

THE TERMS OF THE COMPROMISE.

[The witness hands a document, of which the following is a copy, to the chairman:

TO THE REPUBLICANS OF MADISON COUNTY.

A meeting of the republican executive committee of this county was held in Canton, on October 27, to consider a proposition to run a compromise ticket in this county at the coming election.

At this meeting some leading republicans were present and expressed their views regarding the proposed compromise. A resolution was offered and carried with but one dissenting vote that the republican executive committee be advised to enter into arrangements with the democratic executive committee to run a compromise ticket. The committee accordingly, on the same day, entered into the following agreement with the democratic executive committee:

It is agreed between the executive committees of the republican and democratic parties of Madison County, Mississippi, that the county ticket of Madison County, at the election to be held November 2, A. D. 1875, shall be composed as follows:

For sheriff, R. J. Ross; chancery clerk, E. S. Jeffrey; circuit clerk, G. W. Anderson; treasurer, J. T. Boyd; assessor, J. P. Parker; coroner and ranger, Philip Bartley; surveyor, W. C. Love; cotton-weigher, J. J. Richards; for the senate, F. B. Pratt; for representatives, David Jenkins, E. A. Stebbins, J. B. Yellowly.

For supervisors.—District No. 1, J. M. Richards; district No. 2, W. G. Kearney; district No. 3, L. F. Montgomery; district No. 4, J. T. Jones; district No. 5. Benjamin F. Harrison.

Justices of the peace.—District No. 1, B. F. Passmore and ——— ———; district No. 2, Mark Joseph, John W. Lipscomb; district No. 3, George P. Adams, Robert E. Andrews, W. Gart Johnson; district No. 4, Black Brown, J. C. Pitchford; district No. 5, Sam. Milton, E. L. Hargon.

The democrats on their part expressly pledge themselves that all members of their party that may be named by the sheriff shall, on election-day, attend the polls during the whole day and act as deputy sheriffs, under the entire control and direction of the deputy sheriff of that precinct; and that every person shall be allowed to vote as he sees fit, without any molestation or interference on the part of any person. The republicans pledge themselves to the same.

This arrangement was entered into by us solely in the interest of peace, to prevent scenes of riot and bloodshed which are taking place in other counties of this State; to allay the then prevailing excitement, and to restore peace, harmony, and good feeling among all classes of citizens of our community.

Prominent colored republicans from different sections of the county urgently requested us to adopt this course, and expressions of gratification have poured in upon us from all parts of the county from republicans at the plan adopted by the committee.

Messrs. Osborne and Handy, candidates for the legislature, and whose names have been left off the ticket, were present at the meeting, and placed their claims at the disposal of the committee, and are understood to fully indorse the ticket as adopted by the committees.

Mr. White, who was our candidate for supervisor in the third district, pursues the same course.

We regret that Mr. Hinton, candidate for supervisor in beat No. 2, and whose name was left off the ticket, was not present at the meeting, but we are confident the action of the meeting will be fully indorsed by him and his friends, and we are satisfied that candidates for justices of the peace whose names do not appear on the ticket as now adopted, will do the same.

Our action in the premises was in the best of faith—what we believed to be for the interest of the party and of the county.

We earnestly hope that the republicans of the county will approve our action, and in good faith carry out our agreement on Tuesday next.

We urge upon every republican to come out and vote on Tuesday next, and poll a full vote for the county ticket as agreed upon, and for the republican candidates for Congressman, state treasurer, and district attorney.

It is of the greatest importance that we should poll a full vote for the State, congressional, and district ticket.

The democratic party is pledged to a peaceable and quiet election, and no man need have any fear or apprehension about voting on election-day. The best citizens of Madison County promise we shall not be interfered with.

Let us have a full vote. It is the belief of the leading men of both parties in this county that the arrangement thus entered into will bring about a better state of feeling between the races than has existed for many years past, and that the most happy results will follow.

By order republican county executive committee.

HENRY R. SMITH, *Chairman.*]

THE COMPROMISE IN THE INTERESTS OF PEACE.

Q. Let me ask you whether this compromise was made before or after what is called the peace arrangement between General George and Governor Ames?—A. I cannot tell the date of that peace arrangement. It was subsequent to the peace arrangement, I am sure. He said substantially that it was entered into in the interests of peace. It was necessary to save bloodshed. That is what he told me. They previously ordered all republican clubs to suspend all meetings.

REPUBLICAN MEETING DISCONTINUED FOR FEAR OF TROUBLE.

Q. Do you know the reason for that order?—A. The committee told me they could not hold republican meetings in the county. And they ordered the drums to be put up and not to be used.

Q. For what reason could they not have meetings?—A. Because there was such intimidation in the county; such threats, &c. I was not in the county at the time, but I was informed that they were riding around at night, firing pistols, &c. The gentleman in charge of my business at the store told me that they were riding past there and discharging their pieces. I had men sleeping in the store to defend and protect it; we had cotton bales around my windows. I was not there myself—I was in Jackson.

A FRIEND GOES WITH WITNESS TO THE POLLS.

Q. You have stated that you arrived at Calhoun the night before the election?—A. Yes. It was understood that I was opposed to this compromise. I was around my store, and took the horses and drove out with a friend about ten or eleven o'clock on the morning of the election. I thought I would go and vote. One of my friends asked me if I was going to vote. I told him certainly.

Q. Who was this friend?—A. One friend was C. P. Huntington, who came up on the morning train. I asked him what he came up for. He hadn't been there before. He stated that he had nothing much to do, and that he thought he would come up.

Q. Was he a democrat or republican?—A. He is a republican, but takes very little interest in politics. He is a friend of my family. I suspected that there was something up from his coming there.

TELEGRAPHS TO HIS WIFE.

About nine or ten o'clock he said that I had better telegraph to my wife. I asked him, why? He said that you had better telegraph her that you are all right; and I sent a boy to the office and telegraphed her.

I saw by the manner of the gentleman who has charge of my business (Captain Key) that there was something up, but did not know what it was.

I noticed they were very uneasy. I saw them several times talking alone as if something was going wrong. They asked me if I was going to vote, and Captain Key said that I had better not attempt to vote the straight ticket.

GENERAL GEORGE'S TELEGRAPHIC SAFE-GUARD.

I told him that I should do it. I started with a ticket, and when near there, going to the polls, a gentleman asked me if I was going to vote. I replied that I was. He turned and went away, and a Mr. Johnson met me. We passed the customary good morning, and he then asked me if I had any objections, or if I would read a telegraphic dispatch that he had. I told him certainly, if he desired it. He handed me a dispatch. I have not the dispatch here, but I can give the idea but not

the phraseology of it. It was directed to Mr. Johnson, in care of Campbell and Calhoun, lawyers, at Canton. It says, "I am informed that Colonel Warner left this place last evening. He will probably offer to vote to-morrow. He must not be molested." And that idea was put in again, "that I must not be molested." I handed the dispatch back to Mr. Johnson. The dispatch was sent by General George, chairman of the democratic State committee.

I told him that I was much obliged, that I would vote without reference to the protection of General George or anybody else, for I had determined to vote at all hazard. "Well," says he, "you can vote now, and you will not be molested. You will be protected in it." I told him that I was going to vote, whether I was protected in it or not.

As soon as I had voted I offered cigars to some gentlemen, when Mr. Johnson approached me again and says, "I have had a consultation with our friends, and we have decided that you must leave here immediately; that you must not remain here."

INFORMED THAT HE HAD BETTER LEAVE IMMEDIATELY.

I told Mr. Johnson that I should remain as long as I pleased; my store was there, my property was there, and I should not go until it was for my interests; until my business required me to go. "Well," says he, "that is our decision, and I was directed to inform you that you had better leave immediately." I left on the afternoon train, and went to Jackson to attend to my duty there.

CHARACTER OF MR. JOHNSON.

Q. Who is Mr. Johnson?—A. A citizen of Madison County.

Q. Democrat?—A. Yes, sir.

Q. Did he hold any place in the organization of the democratic party, that you know of?—A. I don't know as he does in the party. I think he was elected justice of the peace in the last election—one of the justices of the peace of the county.

Q. Who were Campbell and Calhoun?—A. A law-firm in Canton.

Q. Democrats?—A. Yes, sir; one a circuit judge, and the other is on the supreme bench.

Q. What is Johnson's standing in the democratic party?—A. I don't know.

Q. Is he a man of good standing in the community?—A. O, yes, sir; he is what is regarded there as a man of good character. I think he owns a place in the county, and he is generally considered a respectable man.

Q. Have you been at Calhoun since?—A. Yes, sir; my store is there.

Q. When did you return after leaving that time?—A. I am off and on there all the time. A gentleman is in charge of my business. Sometimes I am there three times in a week, and then it will be three weeks before I am there.

NO EXPLANATION OF THE ORDER TO LEAVE.

Q. Have you been molested since?—A. No, sir.

Q. Have you had any explanation from Johnson or any one else in regard to that order to leave?—A. Nothing whatever. I subsequently learned that Mr. Huntington came up there because it came to the ears of my friends in Jackson that I was to be killed on that day if I attempted to vote. He didn't tell me at the time. I asked why he came up. He said that he wanted to come, and didn't have much to do, and that he thought he would come up. He learned that there was some expectation that if I attempted to vote there was to be trouble. He had

some protection papers with him. I went up to discharge what I supposed to be my duty, and I was going to do it.

Q. Is there anything more worth stating in regard to the election that you think of now?—A. No, sir; not there. In regard to the election over the State generally, of course, this committee will get it, and what I could tell would be hearsay.

NO MILITARY ORGANIZATION AMONG THE BLACKS.

Q. Have you any knowledge of any military organization in Madison County among the white people or the black people?—A. I know of no military organization among the black people. I was informed that the democrats had a military organization; that they were drilling in the hall there in Canton. I have never seen the gentleman yet that has denied it. You could hear them drilling in the hall, giving the necessary orders.

Q. Military orders?—A. Yes, sir.

OPPOSED TO THE PEACE MEASURES.

Q. Do you know whether or not they had arms?—A. I never heard it denied. I heard that there were arms brought there. I suppose no gentleman will deny it. It was generally understood. I know no one pretends to deny it. In regard to the peace policy, I wish to say that when that was made it did not receive my approval. I was in favor of going forward without making any compromise whatever with the democracy. That was the course I pursued and the course I advised my friends. When the peace arrangement was made I felt it my duty to acquiesce in it, because it was made by and through Governor Ames.

SATISFIED THE DEMOCRATIC LEADERS COULD NOT CONTROL THEIR PEOPLE.

I was satisfied that the parties making it in behalf of the democratic party could not control the people. I so informed a gentleman, Mr. Chase. I so informed Governor Ames, and we had some warm words on the subject. I was satisfied that General George could not control the people of the State; that he could not carry it out, as subsequent events proved that he could not. However good his intentions, he could not carry it out. The agreement was not carried out at all.

SENT TO WASHINGTON AFTER THE CLINTON RIOT.

By Mr. McDONALD:

Q. How long have you been away from Mississippi this time?—A. About five weeks.

Q. Do you recollect what time you left there?—A. I think I left about the 1st of June.

Q. How soon after the Clinton riot on Saturday did you come to Washington?—A. To the best of my recollection I left Jackson the next Sunday. That was the next day—Sunday night.

Q. Then you know nothing about the Clinton riot except what you heard from others?—A. No, sir. I was in Jackson the day the riot occurred. The people were running with muskets to the depot when the train came up.

Q. But as to the riot, that is all you know personally?—A. Yes, sir.

Q. What time did you return to Jackson?—A. At that time when I came north?

Q. Yes.—A. I think about—I don't think over ten days.

THE COMMITTEE APPOINTED A COMMITTEE TO WAIT ON THE PRESIDENT.

Q. Did you come on your own responsibility or did you come as a

messenger for Governor Ames?—A. I didn't come as a messenger for Governor Ames. It is necessary for me to explain. The republican State committee in their meetings directed, by a vote, for me to appoint a suitable committee to come here to Washington to represent affairs to the administration, and to see if we could get any assistance here, or any protection.

Q. What time was that committee appointed?—A. That was some time previous to this.

Q. How long previous?—A. I cannot say, because I have not the date of the convention.

Q. That was before the canvass opened?—A. It is difficult to tell when the canvass did open.

Q. It was at the time of the organization of the committee, of the central committee, for the purpose of conducting the canvass that they directed you to appoint a committee to see the President and ascertain what military aid could be depended on for the canvass?—A. No; that was not the vote of the committee. As near as I can recollect, it was that the chairman of the committee should appoint a committee to come to Washington to represent the situation to the administration.

Q. With a view to what?—A. With a view to getting protection.

ABOUT THE DATE OF THE APPOINTMENT OF THE COMMITTEE.

Q. To do what?—A. To see if we could get aid.

Q. Will you state as near as you can what the resolution was, and when it was adopted?—A. I cannot tell you when, because I have not the date.

Q. It antedated the Clinton riots?—A. Probably it was some time before.

Q. Was your committee formed by a State convention held at Jackson?—A. Yes; that convention chose the State committee.

Q. That committee organized and adopted this resolution at the time it organized?—A. Yes, sir.

Q. Now you can give the date of your State convention and organization of your State committee?—A. By looking at some files I can tell to morrow. I think I can get some papers that will give the dates.

OBJECT OF THE COMMITTEE.

Q. Well, I would like for you to do so, in order to get the date of the order they appointed a committee to wait on the President. I will ask you again, did they contemplate military aid from the Administration?—A. So far as that is concerned it is hard to tell what they contemplated. We wanted some protection. I will answer individually that that was my desire.

Q. That was your desire?—A. Yes, sir.

Q. To secure a promise from the Administration that, if called upon, troops would be furnished?—A. No, sir; my duty I considered to lay before the Administration the situation of that State, all things considered.

Q. From your stand-point?—A. Yes, sir; of course it could not be from any one else's.

THE COMMITTEE ONLY MADE KNOWN THE PRECISE STATE OF AFFAIRS.

Q. To find whether the Administration from your stand-point would be willing to send military assistance?—A. It was not for me to dictate or recommend to the Administration what to do. I so told the heads of the Departments; I so told the President, that a committee had come to give the situation of the State of Mississippi; to tell him precisely what was

going on down there and see what, if anything, could be done. I will state some other things and some of the conversation, if necessary.

Q. I am not calling for the conversation between the President and yourself. I do not know that it is proper to do so.

Mr. KELLY. Grant has relieved every one, so that they can speak out.

By Mr. MCDONALD:

Q. Well, I do not know that we need that. What other assistance could the Administration furnish, except military aid?—A. I thought they ought to give us good men for office, and so I told General Grant. He says, "Have you anybody to recommend?" I said, "Neither my friends nor myself have anybody to recommend; we are not here in anybody's interest; we are here to secure a fair and honest election."

COMMITTEE WANTED GOOD OFFICERS.

Q. You commenced by recommending that he give you good officers; were there complaints against the officers you already had there?—A. I had never made any complaint to the Administration.

Q. Were the officers you had satisfactory?—A. They might have been to some, and not to others.

Q. Were they not satisfactory to you?—A. Some of them were not, sir.

Q. Did you point out to him who were not satisfactory?—A. I don't think we did. The President asked about certain individuals down there—officers. We did not go to him to ask for the removal of any one; we wanted to give him the situation of the State, to see what he would advise us to do among ourselves. He asked us about the officers down there.

Q. Did you think that a revision of the officers would be all that he could do?—A. It was not all that I wanted him to do; as I said before, I place——

WITNESS WANTED MILITARY PROTECTION FROM THE GOVERNMENT.

Q. I ask you if it was not your purpose to get the Administration to furnish, if called for by you, military aid in conducting the election? You can answer that, and then you may make your own explanation.—A. No, sir; I will answer that in the negative. We didn't want any military organization to conduct our election.

Q. Did you want military aid?—A. I did, I am frank to say, sir. I always have believed that it was the duty of the Government to protect its citizens in the discharge of a duty, and I considered it a duty of every man to vote, and they could not vote without the protection of the General Government.

THE COMMITTEE.

By Mr. MCMILLAN:

Q. Who could not?—A. The republicans.

Q. In some parts of the State?—A. Yes, in some parts they could.

Q. Who came with you General Warner?—A. Senator Bruce, Major Howe, Hon. James Hill, and Captain Buchanan, who was candidate for State treasurer on the republican State ticket, and Capt. John B. Raymond.

Q. That was the committee appointed by you?—A. Yes, sir.

Q. And you came together?—A. No, sir; we didn't come together. But we met here. We met in New York, where General Grant was on his way to attend some meeting at Utica, and we saw him in New York.

THE RIOT AT YAZOO.

Q. What other riot before the election took place in Mississippi after the Clinton riot?—A. There was one at Yazoo.

Q. That was the one that the sheriff, Mr. Morgan, attended?—A. Yes, sir.

Q. The night the meeting took place in the hall?—A. Yes, sir; I think it was held in the court-house; I think they were holding it in the old court-room.

Q. How long was that meeting after the one where you had spoken at Yazoo?—A. I am unable to answer.

Q. Well, as near as you can?—A. A few weeks.

Q. Your meeting preceded that at Yazoo?—A. Yes, sir; it was some weeks after.

Q. Now, what other riot before the election?—A. I cannot tell that there were any that you may call riots. There was no riot in Madison County.

Q. I will speak of that in a moment.—A. I can't tell that there was what you call a riot there; generally, the campaign-speakers didn't talk much.

Q. In how many districts of the State were there republican candidates for Congress?—A. There were six districts.

Q. Were there republican candidates for Congress in each of the six districts?—A. Yes, sir.

Q. You had been at the head of the State central committee for four years?—A. Three or four years.

THE SPLIT IN THE REPUBLICAN PARTY.

Q. I will ask you if there was not a great deal of division in the republican ranks?—A. There was some division; not in the rank and file, but among the leaders. Among the prominent men there was.

Q. They were divided into Ames and anti-Ames parties?—A. That would describe it. The party was not divided—the rank and file. There were some leaders that didn't work in unison with the party.

Q. As you were chairman of the committee these matters came under your notice. Will you state the names of the leading men who were opposed to the Ames administration?—A. Those that opposed him personally, or his administration?

WHO OPPOSED GOVERNOR AMES.

Q. Either, sir.—A. Well, there was Capt. H. R. Pease, G. Wiley Wells, the present member of Congress from the northwestern district; George E. Harris, Dewitt Sterns—now perhaps I am doing some of the gentlemen injustice in naming them as opposing Governor Ames. It would be a difficult thing for me to stand in judgment over these men. I would not want to mention men. It is generally understood that they were opposed to Governor Ames.

Q. Senator Alcorn was also opposed to him?—A. Well, I would not want to say that he was opposed to him. I would prefer that Alcorn would answer that question himself. I don't want to sit in judgment on Alcorn.

Q. I will ask if in several of the districts there were any more than one republican candidate for Congress?—A. There was only one; that was in the district of Mr. Wells. When their convention was held there was a split. Mr. Howe was nominated by the regular republican convention, and Colonel Wells by a convention on the same day and in the same town, and they both ran.

By Mr. KELLY:

Q. Little and Powers?—A. I am obliged to the gentleman; that had passed my mind. There were two candidates in these two districts. They run clear through the election.

By Mr. McDONALD:

Q. Were one of these a supporter of the Ames administration and the other opposed?—A. In Wells's district, Wells was opposed to Ames; Howe was a friend to him. I am speaking of what the community generally understand to be the case. I think in the other district both Powers and Little were friendly to Ames, so far as I know. The State convention indorsed Governor Ames.

COMPROMISE MADE THROUGH FEAR OF BLOODSHED.

Q. This publication over the signature of Henry R. Smith, the chairman, concludes this way: "It is the belief of the leading men of both parties in this county that the arrangement thus entered into will bring about a better state of feeling between the races than has existed for many years past, and that the most happy results will follow." Did Mr. Smith state that in substance to you in this conference between him and you in regard to the confirmation of this compromise?—A. No, sir; I wrote a letter to Mr. Smith protesting against that compromise.

Q. Mr. Smith did not state that to you in substance?—A. He didn't, sir. I addressed him in a large room full of gentlemen—"Why did you make that compromise; was it through fear?" He says, "Yes; but no personal fear. I am not afraid myself, but to save bloodshed. If we didn't make it we were satisfied that there would be an immense amount of bloodshed on election-day."

CHARACTER OF JUDGE CAMPBELL.

Q. Do you know anything of the apprehensions of leaders of the democratic party upon the same point?—A. I never heard that claimed by anybody.

Q. You know Judge Campbell?—A. I do, sir.

Q. He is a man of character and candor?—A. I consider him so, sir.

Q. Was he not one of the gentlemen on the other side who brought about or entered into the arrangement?—A. I am not aware that he was on that committee.

Q. But one of the members of the party?—A. Yes; but the arrangement was made by the two committees.

Q. But did you not know that other parties were consulted on both sides?—A. I don't know in regard to the democratic party. It was a matter gotten up within a few days and executed. Even the man who was nominated for sheriff knew nothing about it until the day before.

Q. Was he not the first party applied to on the subject, and did not the democrats make the first advance?

By Mr. McMILLAN:

Q. Was not Ross nominated first?

The WITNESS. Key was nominated first.

FURTHER DETAILS ABOUT THE COMPROMISE.

By Mr. McDONALD:

Q. Do you know that the democrats made the first advances?—A. I tried to find out who made the first advance; some of my friends stated that it came from Judge Breck, that he intimated it to some democrats. I wrote to Judge Breck, and he denied it.

Q. Then the application was made to Ross?—A. I think I told Mr. Chase or Governor Ames that General George was wholly unable to control his democratic friends, and General George showed to some republicans that it was Judge Breck first proposed the compromise.

I wrote to Judge Breck, and he denied and said he opposed it. I have his letters, which I can show to the committee if necessary.

Q. Judge Cunningham is not a member of any party?—A. No, sir; he was not a member of any committee.

Q. Do you not know that he was consulted by his republican friends?—A. I was informed that they went up there.

Q. He lived at Calhoun, did he not?—A. Yes, sir.

Q. How far is that from Canton?—A. About seven or eight miles.

Q. I will ask you again if leading men not members of the committee did not join in consulting with the respective committees in bringing about and effecting this compromise, and if Judge Cunningham on one side and Judge Campbell on the other were not two of these parties?—A. I heard that Judge Cunningham was there. I was not there.

Q. Were there not some twenty or thirty?—A. I don't know; I could not be a competent witness to that.

Q. Had you seen Judge Cunningham after the compromise was entered into until the day of the election?—A. My impression is that Judge Cunningham came down to Jackson after this compromise was effected. There was some eight or ten republicans came down to Jackson.

IT WAS TO PREVENT BLOODSHED.

Q. You think Judge Cunningham was one of them?—A. I think Judge Cunningham, Mr. Jeffrey, Captain Ross, Captain Key, and Mr. Smith, chairman of the county committee, and I think several others. They all came down after there was some talk about a county like Madison making a compromise. They came down, and they admitted—Mr. Smith as spokesman for the party, and Mr. Pratt, too—to the question why they made this compromise, that "it was to prevent bloodshed."

Q. Had this publication been made then? [Referring to the address of the republicans of Madison County.]—A. I don't think it had.

Q. But on this circular the date does not appear; it simply says, "At a meeting of the republican executive committee of this county was held in Canton, on October 27, to consider the proposition to run a compromise ticket in this county at the coming election," &c.—A. Those gentlemen expressed to me that it was no use talking; that there was no two sides about it at the time; they admitted before a room full of gentlemen that they were obliged to make the compromise to save bloodshed.

Q. You were censuring them very severely for their course?—A. I did censure them.

Q. You wrote a letter up there protesting against it?—A. I did, sir.

Q. Do you know whether the contents of that letter were made known to the committee?—A. He told me that nearly all of them had read it.

Q. So they all knew that you opposed the compromise?—A. They told me so; I opposed it strenuously, and when he left there the day before he agreed with me.

Q. Afterwards he—Smith—entered into it?—A. Yes, sir.

Q. Now, was not that compromise carried out by both parties, so far as you have any reason to know, fairly and fully in that county?—A. Now, so far as the parties were concerned, it was. There were individual instances where they did not.

Q. O, yes; individual instances; yourself, for instance?—A. Yes, sir.

WITNESS VOTED THE REGULAR TICKET.

Q. You voted for those on the regular ticket?—A. Yes, sir; I voted for the ticket that was nominated by the republican convention.

Q. Generally the compromise was carried out, and the ticket agreed upon by the compromise was elected?—A. Yes, sir.

Q. By a very large majority?—A. Yes, sir.

Q. Do you recollect who was inspector at Calhoun on the day of the election?—A. I can't tell, sir.

Q. Was not Judge Cunningham?—A. He was one of the inspectors. I don't know whether he was the Government inspector.

Q. He was one of the judges?—A. He had something to do with receiving of the ballots; yes, sir.

ABOUT THE ORDER FOR WITNESS TO LEAVE.

Q. How long had you known this Mr. Johnson?—A. He had lived in the county ever since I was there, and before, too. My acquaintance with him is like it would be with many citizens who lived six or eight miles from you, and on a road that you do not very often travel.

Q. You say that he approached you after you had read this dispatch—some time after—and said that they had been consulting your case, and said that they had determined that you should leave there?—A. After I voted.

Q. He knew you had voted, then?—A. I presume so; I went up and voted. Everybody was looking. After I had voted, he came up.

Q. How long after you had voted?—A. Directly after I voted.

Q. Well, who did he say he had consulted about this matter?—A. He said, "My friends." He said, "I have had a consultation with my friends, and we have decided that you must leave here."

Q. How long did you remain after?—A. I think I voted about eleven o'clock—about that—and I took the evening train down to Jackson; I can't tell whether it was two or four o'clock, the train changed time so frequently.

Q. You were there some time after this interview?—A. Yes, sir.

Q. Were you about the polls most of the time?—A. No, sir; I was about my store.

Q. How long did you remain about the polls that day?—A. When I went up there, I stopped and spoke to one of the deputy sheriffs. He says, I will go along with you. He proved to be one of the deputy sheriffs. I didn't know at the time. Soon after I left, Johnson met me; I was about half-way from the polls to the store. Perhaps the polls from my store was about two hundred feet. We had this conversation then. I left Mr. Johnson and spoke to one or two other gentlemen, and then went up to the polls and voted. Met Mr. Johnson again. I spoke to him a moment or two and then went to my store.

Q. He was the only one who accosted you there that day, was he not?—A. Yes, sir.

Q. After making this statement to you, he said nothing further that day?—A. Nothing at all.

Q. You were pretty well acquainted there, in that part of the county?—A. I am sir.

Q. Know the people generally?—A. Yes, sir; I know them as one living there ten or twelve years; doing a merchandising business.

WITNESS SURPRISED AT GENERAL GEORGE'S DISPATCH.

Q. Was it not on account of this known opposition to the compromise that it excited this feeling, if there was any?—A. Well, sir, it took me somewhat by surprise. I will say, when Mr. Johnson showed me that dispatch, I thought there was something up.

Q. You say that it was known that you were opposed to this compromise?—A. It was known to my friends, because I talked to them about it

Q. You never expressed any ill-feeling in that county before?—A. On account of politics?

Q. I mean any personal ill-feeling?—A. I would like to understand your question, sir; whether it is connected with politics.

RAIDED AND ROBBED IN 1867.

Q. You may state in either way, if you have been menaced in any way.—A. Yes, sir; I have. I didn't wish to say this, but inasmuch as you have asked I will be obliged to do so. Before I had been there six months I was raided in my place by armed bands. They took off one night twenty-eight mules of mine, fine young mules that I had just brought from Kentucky.

Q. That is robbery?—A. You asked the question that brought it out. It was some eight or nine years ago. It was known that I was an ex-Federal officer, and that I had served in the Federal Army. I was in New Orleans buying furniture for my house; our plantation was raided, and those twenty-eight mules taken off.

Q. Where were they taken to?—A. Up to Yazoo County.

Q. Did you find out the parties who had taken them?—A. I recovered eighteen of them. I would prefer not to go into that matter. It is a matter that is passed and gone.

ON GOOD TERMS WITH THE PEOPLE EXCEPT AS TO POLITICS.

Q. On what terms were you with the people of that county up to the day of the election?—A. Well, sir, aside from my politics I was on good terms with the people. They didn't like my politics.

Q. Well, I do not know that I do, either, but I have a very good feeling for you personally.—A. Thank you, sir; I can reciprocate that feeling. But so far as the people are concerned, I would say I have been in business there (merchandising) every year but one. Since I have been there my relations with the people were very pleasant; my relations in New Orleans are exceedingly pleasant, and with the banks in Mississippi; I think I have not had a lawsuit with anybody, and my business relations have been very pleasant.

DEMOCRATS SUPPORTED MR. WELLS.

By Mr. McMILLAN:

Q. Was there any democratic nominee for Congress in Wells's district last fall?—A. No, sir.

Q. Which of the candidates did the democrats generally support?—A. Mr. Wells.

BUT LITTLE RELATION BETEEN DEMOCRATS AND REPULICANS.

By Mr. McMILLAN:

Q. You have stated that your personal and business relations are very pleasant?—A. My business relations.

Q. How is it with your personal relations as a member of the republican party? How are your personal relations affected there by your politics as a member of the republican party?—A. You mean socially? I have answered politically. There is very little social relation existing there between republicans and democrats.

Q. Generally, prior to the election of 1875, what has been the usual republican majority in Madison County?—A. Eighteen hundred.

Q. Has that been for the usual majority?—A. Yes, sir; that was what we calculated on. There was Holmes, Madison, and Yazoo that we could calculate going republican by about the same majority.

DEMOCRATS PLEDGE A PEACEABLE ELECTION.

Q. I observe that this paper [referring to the address hereinbefore

mentioned] says: "That the democratic party is pledged to a peaceable election, and the democrats expressly pledge themselves that all members of their party that may be named by the sheriff shall on election-day attend the polls during the whole day and act as deputy sheriffs, under the entire control and direction of the deputy sheriff of that precinct; and that every person be allowed to vote as he sees fit, without any molestation or interference on the part of any person."—A. The republicans told me that the democrats had pledged themselves; that if they would carry out that promise they would pledge themselves to a peaceable election on that day. I told them that I could not sanction it, and I would not.

MILITARY PROTECTION NEEDED BECAUSE DEMOCRATS INTENDED TO CARRY ELECTION AT ALL HAZARDS.

Q. I will ask you, General Warner, why you believed some aid was necessary, and believed the military necessary to secure peace there?—A. Well, the general tone of the democratic press was that they would carry that election. They stated in their editorials that they would carry it at all hazards. That was the talk among the citizens, that they were determined to carry it at all hazards.

Q. Were there any other evidences that they would do it?—A. The evidences that were coming constantly that it was difficult for republicans to hold any meetings. They could not hold any meetings in many parts of the State. In some of the congressional districts—perhaps nearly all of them—nominations were made before the State convention, so that necessarily the campaign had commenced prior to this, and that it was going on in such a way that we were satisfied that we could not have a fair election. The arms of the State had been seized upon on board of a boat, and the laws set at defiance. Arms had been seized at Vicksburgh, taken off of the boat, and you could do nothing about it, and it was impossible to transport any arms or get any arms in the State.

VILE LETTERS SENT TO WITNESS'S WIFE.

By Mr. McDONALD:

Q. You say the relations between the republicans and the democrats are not generally very intimate?—A. Socially.

Q. No one has ever quarreled with you on account of your politics?—A. Well, sir, I can answer that by giving some scenes better than I could say whether they quarreled with me about it; perhaps those gentlemen would say that I quarreled with them.

Q. Well, with the exception of this intimidation of Johnson, you have never been threatened?—A. I have been ordered to leave the State by anonymous letters; my wife has had letters written to her, the vilest I ever saw penned.

Q. Well, no person ever came to you?—A. Well, I could best show that by showing the editorials of the papers, but no one came to me aside from politics. My business relations were agreeable and pleasant as if I were at the North.

Q. Your relations with the officials of the democratic party—General George and others; how are they, pleasant?—A. General George and myself are on good terms. We are not intimate, but we treat each other as gentlemen should treat each other. We never have had a word that was unpleasant.

By Mr. McMILLIAN:

Q. After you voted you left the polls and went to your business?—

A. I left the immediate vicinity of the polls. They are about two hundred feet from my store.

Q. You left the election-polls?—A. Yes, sir; I went to my store and remained until the train left.

By Mr. McDONALD:

Q. Your action was in no way influenced by anything he said to you?—A. No, sir; anything he said to me didn't influence me in the time of leaving or in the manner of leaving.

JOHN W. C. WATSON—MARSHALL COUNTY.

ABOUT RECONSTRUCTION.

JUNE 22, 1876.

JOHN W. C. WATSON sworn and examined.

PERSONAL RECORD.

By Mr. McDONALD:

Question. Where do you reside?—Answer. At Holly Springs, Miss.

Q. How long have you been a citizen of the State of Mississippi?—A. Since March, 1845.

Q. Of what State are you a native?—A. Of Virginia.

Q. What is your profession?—A. That of a lawyer. I am now one of the circuit judges of the State just appointed.

Q. What counties are embraced in your judicial district or circuit?—A. Pontotoc, Tippah, Union, Benton, Marshall, La Fayette, Yalabusha, and Calhoun.

Q. What official positions have you held in this State, and at what times, beginning with your first official position?—A. I was a member of what was termed the Union convention, in 1852. I think it was at the time of the passage of what were known as the "compromise" acts of Congress. It was after 1850, and the question was, shall these measures be sanctioned or ratified. It was in 1851 or 1852. I was elected as a Union man at that time.

Q. That was the first?—A. Yes.

Q. That was a convention called by this State?—A. Yes; a State convention held in view of those compromise measures.

Q. What was the next position that you held in the State?—A. Well, sir, I was elected to the legislature in this State in the fall of 1862 or the spring of 1863, during the war.

ELECTED TO THE CONFEDERATE SENATE.

Q. When did you become connected with the judiciary of the State?—A. Not until very recently. Perhaps I ought to state further that I was elected to the confederate senate in 1863.

Q. A member of the Confederate States senate?—A. Yes; and continued a member of that body until the close of the war. I was elected for a term of six years.

Q. Your first connection with the judicial offices of the State is your present position?—A. Yes; my commission took effect from the 12th of May last.

Q. How extensive has been your acquaintance over the State of Mississippi?—A. It has been very extensive with the citizens of the State for a number of years. I have been attending the supreme court as a

practicing lawyer; have attended many of the State conventions before the war as a whig. Since the war I have acted generally with the democrats—with the party opposed to the republican party.

WAS A WHIG.

Q. Before the war you belonged to the whig party?—A. Yes; I was an elector on the Bell and Everett ticket in 1860.

Q. Since that you have acted with the democratic party?—A. Yes. I ought to make another statement. I was elected from my county a member of the State convention, called in 1868, under the reconstruction laws of Congress, in January, 1868.

Q. Were you familiar with the constitution of the State framed and submitted to the people of the State that year, at the time General Humphreys was a candidate for governor?—A. Quite so.

Q. That constitution was not adopted, I believe, by the popular vote?—A. It was rejected.

PROVISIONS OF THE REJECTED CONSTITUTION.

Q. What were its provisions as to the rights of citizenship in respect to the races in the State? I do not desire you should go into the details of the constitution, but rather simply to state some of its features in reference to the political rights of the two races, so far as it protected the political rights of the two races. What disqualification was there in reference to any persons of the white race in this State?—A. There was a clause in it rendering every person ineligible to office who, as a member of the legislature, had voted for the call of the convention that passed the ordinance of secession, or who, as a delegate to any convention, voted for or signed any ordinance of secession, or who gave voluntary aid, countenance, counsel, or encouragement to persons engaged in armed hostility to the United States, or accepted or attempted to exercise the function of any office, civil or military, under any authority or pretended government, power, or constitution within the United States, hostile or inimical thereto, except all persons who aided reconstruction by voting for this convention, or who have continuously advocated the assembling of this convention, and shall continuously and in good faith advocate the acts of the same. That was very sweeping in its effects.

Q. Leaving out the latter part, in reference to the aiding in the adoption of that constitution and aiding in the call of the convention, what proportion of the white male population at that time would have been disqualified for holding office under that constitution?—A. Ninety-nine one-hundredths. The exceptions are very few.

TEST-OATH OF THE PROPOSED CONSTITUTION.

Q. Let me ask, in addition to that, whether there was any test-oath by which the voters were affected?—A. Yes, sir; there was a clause in the oath in accordance with the foregoing disqualifying provision. The oath required the voters to say that "I am not disfranchised in any of the provisions of the acts known as reconstruction acts of the Thirty-ninth and Fortieth Congresses," and that "I admit the political and civil equality of all men." And then there was the oath of office.

EFFECTS OF THE TEST-OATH.

Q. Do you remember what the disqualifying features were of the reconstruction act in reference to voting?—A. Well, sir, I never regarded the reconstruction act as disqualifying any person after reconstruction from voting, while it rendered a certain class of persons ineligible to office in the State, but this State constitution went far beyond the reconstruction acts as to voting and holding office.

Q. Did any of the reconstruction acts of the Congress referred to, as they stood at that time, contain what is called a "test-oath" for all persons who presented themselves to vote, requiring them to take an oath that they had not given any aid or assistance to the rebellion?—A. I do not remember that was the test-oath required by the reconstruction acts. No one who had held office in the State prior to the war was eligible to office. But I do not remember that the reconstruction acts affected the right of voting after reconstruction. That is my recollection; I may be mistaken.

Q. There was the official oath in addition.—A. Yes; but that was one that had reference to the right of holding office, not to the oath of the voter. Ninety-nine one-hundredths of the white population during the war would be included under that. A good many who came in after the close of the war would not have been affected by it; immigrants from the Northern States.

REQUIREMENTS OF STATE CONSTITUTION.

By Mr. BAYARD:

Q. I observe that by this clause of section 3 of the constitution there is an oath which I suppose the elector was required to take, and it included the allegation that the person offering to vote was not disfranchised in any of the provisions of the acts known as the reconstruction acts of the Thirty-ninth and Fortieth Congresses. Did not that touch the right of a very large body of men under consequent disability?—A. That did rule persons who had held any office in the State before the war, of any kind.

The CHAIRMAN. Was not that limited to those who had taken an oath to support the Constitution of the United States?

Mr. BAYARD. Did the constitution of Mississippi require every officer of the State to take an oath to support the Constitution of the United States?—A. Every officer in the State under the old constitution had to take an oath of office to support the Constitution of the United States—one general oath of office for all persons.

The CHAIRMAN. Did that oath include an oath to support the Constitution of the United States?—A. Yes, sir.

OATH OF ALLEGIANCE AND ITS EFFECTS.

By Mr. BAYARD:

Q. The constitution of the State of Mississippi required an oath to support the Constitution of the United States from all its State officers?—A. Yes, sir; that is my understanding.

Q. And therefore this whole class was included in the disfranchisement and not permitted to vote for the State constitution or any election thereunder?—A. Yes. Here is the oath of office as in the constitution as framed by the convention; it is more comprehensive than the oath before stated. It says: "I will faithful and true allegiance bear to the Constitution of the United States and the State of Mississippi, and obey the laws thereof, and I am not disqualified from holding office by the Constitution of the United States or the State of Mississippi." That would reach that whole class who had given countenance or aid to the confederate cause. It rendered them ineligible to office.

Q. With that constitutional clause, when the Mississippi electors were privileged to vote for or against it, did it not exclude a large body of the white voting population?—A. It did exclude every person who before the war held an office by which he was required to take an oath to support the Constitution of the United States.

The CHAIRMAN. That was regulated by act of Congress.

A. By act of Congress. In the first instance, by act of Congress. A great many I know could not vote and did not vote.

EFFECTS OF THE RECONSTRUCTION ACTS OF CONGRESS.

Q. My object in the question was this: There have been criticisms upon a large number of the former leading men of the State of Mississippi and other Southern States that when the first progress of reconstruction began they held back stubbornly and refused to take part in the rehabilitation of the State; and the object of the question was to show that this holding back was involuntary on their part, and that under the constitutions they were called upon to ratify when they were submitted to the States they were not permitted to take part even in the vote to adopt or reject. What is your view on that?—A. My recollection is that a great many were disfranchised and could not vote. The reconstruction acts of Congress prohibited all persons who before the war had taken no official oath to support the Constitution of the United States from voting for members of the convention, or upon the question of the ratification or rejection of the constitution.

PROVISIONS OF STATE CONSTITUTION.

Q. I observe by a clause of this constitution, section 5, article 7, on the civil franchise, it states, "no person shall be eligible to any office of profit or trust, civil or military, in this State, who was a member of the legislature, voted for the call of the convention that passed the ordinance of secession, or who, as delegate to any convention, voted for or signed any ordinance of secession, or who gave voluntary aid, countenance, counsel, or encouragement to persons engaged in armed hostilities to the United States, or who accepted or attempted to exercise the functions of any office, civil or military, under any authority, or pretended government, authority, power, or constitution within the United States hostile or inimical thereto, except all persons who aided reconstruction by voting for this convention, or who have continuously advocated the assembling of this convention, and shall continuously and in good faith advocate the acts of the same;" did not that exclude the great bulk of the white population of Mississippi from holding office?—A. That excluded them from holding office.

MEN ABOVE THE RANK OF PRIVATE COULD NOT HOLD OFFICE.

Q. "Provided that nothing in this section except voting for or signing the ordinance of secession shall be so construed as to exclude any private soldier in the so called confederate army." Did or did not that provision work to exclude the leaders, those who had been the men of greater intelligence—who had been something above the rank of private soldier?—A. Yes; it was intended for that, probably.

Q. Any man above the rank of private could not be elected to office in the State of Mississippi?—A. Under that constitution, that was so unquestionably.

Q. When did this constitution go into force?—A. That constitution was rejected.

Q. When was the next constitution adopted?—A. That was some time in 1869.

Q. Was that constitution denuded of these objectionable features?—A. It was.

Q. Who became your first governor under it?—A. Alcorn.

Q. How long did he remain in office, and who succeeded him?—A. He was elected for the term of four years. His term commenced in

January, 1870, I think, and he was elected for four years, and he was succeeded by Governor Ames.

Q. When did Ames come in?—A. Ames was elected in the fall of 1873, and his term commenced January, 1874.

POWER OF GOVERNOR AMES.

Q. What has been the general scheme of the constitution and of legislation in respect to throwing power into the hands of the executive?—A. Well, the scheme of the constitution, as well as the legislation under it, and particularly after Ames became governor, was to concentrate in the hands of the governor an amount of power that transcended anything that we had ever been familiar with, and I suppose not equaled under any constitution in the land.

EFFECT OF LEGISLATION.

Q. Was the legislation under General Ames's administration of a character to throw power into the hands of Ames as the executive of the State?—A. It was pre-eminently so.

AMES CALLED ABOUT HIM CARPET-BAGGERS AND SCALAWAGS.

Q. What class of men did General Ames call around him in his administration?—A. He called around him, as a general thing, the very worst class of what we call "carpet-baggers." Most of them were newcomers into the State, without property, who relied upon politics as a trade and means of livelihood.

NO KNOWLEDGE OF THE PEOPLE.

Q. Had they any knowledge of your people, of their habits and wants?—A. None whatever. They came among us as strangers at the close of the war.

Q. With whom did that class of men affiliate?—A. A great many of them affiliated, mostly, with the negroes.

FEELING OF THE CITIZENS TOWARD NORTHERN MEN.

Q. What was the feeling and course of action toward citizens of the Northern States who came here as men of fair character and as good citizens, to settle in your midst?—A. Upon the part of most of the citizens, especially of the better class, there was no indisposition to receive them, and a great many desired them to come. And when they came among us, as citizens engaging in some business, I believe any such man was received kindly, and treated kindly.

CONDUCT OF SOME NORTHERN MEN.

A great many of them, however, came among us, as I remarked before, and engaged in no business, but just went among negroes, the whole aim and purpose being to gain the confidence of the negroes and alienate them from the whites and their old masters. They carried this to such an extent that some of them would visit the negroes' houses and cabins, and meet them on terms of social equality. Some would not go so far, but would mix up with them in politics. And the general aim of that class was to destroy the confidence of the negroes in the whites and in their old masters.

NORTHERN MEN'S ADVICE TO THE NEGROES.

I have heard men of this class on the stump, in addressing crowds of negroes, say every thing they could to exasperate the then recently emancipated negroes against their old masters. I have heard them lay down this rule, "You must never follow your masters in politics; just watch them, and when they take one direction you take the other, and you will certainly be right."

Q. Was this the current course of advice to this class of men?—A. So far as it fell under my observation, the general object was to convince them that their old masters were unalterably opposed to them, and that they must look alone to northern men for their protection.

SPLIT BETWEEN ALCORN AND AMES.

Q. Was it from the class that General Ames drew his political associates and advisers?—A. Yes, sir; he very soon threw off what he regarded as the better class of republicans.

Q. Threw them off?—A. Yes.

Q. Was it thought that that led to the split of the Alcorn wing against the Ames?—A. Yes; perhaps I might state a fact or two there. Alcorn came back and ran for governor against Ames.

ALCORN DENOUNCES AMES'S SUPPORTERS.

Q. What year?—A. In 1873. During that canvass Alcorn on the stump denounced as thieves and swindlers the main supporters of General Ames. The speeches made by Governor Alcorn in that canvass were the most denunciatory I ever heard against the leading men of the Ames party.

AMES HAS THE CONFIDENCE OF THE NEGROES.

Q. Were there other leading members of the republican party who took the same tone as did Alcorn, in regard to the Ames administration?—A. In 1873, not a great many. Ames had the confidence of the negroes, and Alcorn was not sustained by his own party, to any great extent, in 1873.

Q. How was it later, in 1875?—A. Alcorn's strength continued to gain after that, and before 1875 the split was a very marked one. A great many had become followers of Alcorn and opposed to Ames.

BITTER FEELINGS BETWEEN THE FACTIONS.

Q. Was the feeling between the two wings, the Alcorn wing and the Ames wing, as great or greater than between the republicans and democrats?—A. The feeling between these two wings of the republicans was just as bitter as could have existed. In my district the opposing candidates for Congress were Wells and Howe, and when the Wells party had a meeting they denounced Howe as a thief and falsifier, and applied to him every epithet they could invent, and when the Howe party came along they would apply the same epithets to the Wells party.

Q. Who is Howe?—A. He had been a member of Congress from that district.

Q. Who was he?—A. A northern man.

Q. Was he on the Ames side or the other?—A. On the Ames side; Wells was for Alcorn. He is our present member of Congress. The collision between the two wings of the party had a great deal to do toward carrying that district against the republicans.

AMES'S OFFICE-HOLDERS LOSE CONFIDENCE OF THE PUBLIC.

Q. It was charged in the public papers that the character of the officers under Ames's administration was known to him, after which knowledge he continued to keep these men in office and consort with them politically?—A. Well, sir, I cannot say what was the knowledge of Ames upon that subject, but these delinquencies and this misconduct were known to the public generally, and Ames still retained them in office and in his confidence, and the more they were abused and exposed the closer he seemed to adhere to them. It seemed to be rather a recommendation to him.

Q. Many of them were placed under indictment?—A. A good many.

Q. By the grand juries of their counties?—A. Yes.

Q. The grand jury, as a rule, was under the control of the republican party?—A. Yes.

THE UNWORTHY OFFICE-HOLDERS STILL RETAIN THE GOVERNOR'S CONFIDENCE.

Q. After these indictments took place were the confidence and association of Governor Ames withdrawn from these people?—A. As a general rule it was not. In Northeastern Mississippi Governor Ames appointed a man as chancellor by the name of Barton, with no intelligence as a lawyer and no standing at the bar. Moreover, he was charged with a flagrant act of forgery.

THE CASE OE CHANCELLOR BARTON.

Q. Had he been indicted?—A. He had not; but Governor Ames was informed by gentlemen of high respectability, among others by our present governor, who came from his vicinity, of the character of this man. Governor Ames refused to believe it, but had it been untrue and his moral character ever so good, he was not fit for the office; but Ames was blind to the truth, and did appoint Barton chancellor. When, however, his appointment was before the senate for confirmation, the judiciary committee, to which it was referred, sent out for witnesses, and the proof was conclusive. I had been knowing to it. The gentleman upon whom the forgery was committed resided in my town and was my intimate personal friend; but Governor Ames did not withdraw his name until he was told by his friends that they could not possibly get him through the senate. That was the only thing that checked him.

Q. Did this man ever exercise the functions of chancellor?—A. O, yes, sir; he held several courts.

UNQUALIFIED MEN APPOINTED TO OFFICE.

Q. Well, what have you further in regard to the character of the judiciary appointed under Ames's administration?—A. He appointed quite a number who were not lawyers.

Q. Not members of the bar?—A. Not members of the bar when first told they could get the appointment. In most instances they have been promised their commission beforehand, and they would go off, and in a short time get their licenses. There were several of them that had never practiced. Dr. Cullins, in my section of the State, was a physician, had never read a law-book in his life, I suppose, and knew no more about law than any other man of equal intelligence. He was a State senator. He was promised the appointment, and left here, and went home, managed to get a license, and was immediately nominated and confirmed.

HOW LICENSES TO PRACTICE LAW WERE OBTAINED.

Q. How are licenses to practice law obtained in this State?—A. The party has to apply to the court during its session, and the law requires applicants to be examined in open court.

Q. By whom?—A. By the judge, or committee appointed by the judge. Frequently a committee is appointed, and they go off in the corner of the house and talk to the applicant a little about law, and then go in and report favorably to the judge.

Q. Who are the judges who appoint this committee?—A. They are either the judges of the circuit court or of the chancery court.

Q. Is the admission a mere matter of form or not?—A. More a matter of form than anything else.

QUALIFICATIONS REQUIRED.

Q. The law requires no period of study or preceding state of preparation?—A. No, sir; not a day or an hour.

Q. Any man may apply who chooses?—A. Yes, sir; the court is to certify that the man is of good moral character and to his being competent.

Q. That is certified by the judge?—A. Yes, sir.

Q. Then he is admitted?—A. Yes.

Q. That was the case of the physician who had never read law; he was immediately licensed and Ames appointed him a chancellor of the State?—A. Yes; and there were several other similar cases.

Q. As to the general character of the men appointed chancellors, were they as a rule men learned in the law?—A. They were incompetent as a general rule and wholly unfit for the places they were to fill.

JURISDICTION OF CHANCELLORS.

Q. What is the jurisdiction of these chancellors?—A. They have full common-law chancery jurisdiction; it is just as comprehensive as that of any chancery court known to the common law.

Q. They are courts of general jurisdiction?—A. General jurisdiction.

Q. Any limitations upon the amount?—A. Nothing.

Q. They have general equitable cognizance?—A. Yes.

Q. Did their writs run throughout the State?—A. Yes; of course there must be some circumstance giving jurisdiction to the particular court in which the suit is brought, but the suit being properly brought, the process goes throughout the State.

Q. Their processes of injunction extend to all causes in the district?—A. Yes.

ALCORN APPOINTED CIRCUIT JUDGES.

Q. What was the character of his appointment as to the circuit judges?—A. He appointed no circuit judges; they had been appointed by Alcorn for six years. The chancellors under the constitution hold for four years, and it was during Ames's administration that the terms of the chancellors expired; therefore, he had to appoint the chancellors.

Q. They were all appointed by him?—A. Yes.

CHARACTER OF ALCORN'S APPOINTEES.

Q. What is the character of the circuit-court judiciary who were appointed by Governor Alcorn?—A. Alcorn's appointments were by no means what they should have been, though somewhat better than those of Ames.

Q. It was deficient in many respects, however?—A. Mr. Cunningham was one of the circuit judges. While I do not think he ever practiced law at all, he was a man, perhaps, of more intelligence than many others in another circuit. A man by the name of Alderson, who had no qualifications for the bench, was circuit judge, and there were others placed on the circuit-court bench who had done very little at the practice, and who were incompetent.

Q. Were they or not of that standing at the bar from which chancellors or competent judges should have been selected?—A. They did not have that standing at the bar which fitted them for the bench.

Q. Were there among Alcorn's appointments such egregious cases of unfitness as you have mentioned among the appointments of Ames?—A. I do not know that there were, and some of them were very efficient men.

ABOUT REGISTRARS OF ELECTION.

Q. What power was exercised indirectly over the appointment of registrars of election, by having the appointment both of the chancellors and the circuit judges?—A. The registrars under the first law were appointed by the president of the board of police, the chancery clerk, and the sheriff of the county.

Q. Were they elective officers?—A. Yes.

LAW PROVIDING FOR THE APPOINTMENT OF REGISTRARS CHANGED.

By Mr. McDONALD:

Q. What time was the change made?—A. By a law passed early in 1873, the circuit judge and the chancellor and the sheriff of each county were required to appoint registrars. That change had the effect of making a majority of the board, in every case, republicans, because the chancellor and circuit judges were the appointees of the governor, and were all republicans. That gave them a majority of registrars in every county in the State.

POWERS OF THE GOVERNOR AS TO REMOVAL OR SUSPENSION.

Q. What is the power of the governor over the judges as to removal or suspension?—A. When they have been appointed and confirmed by the senate, he has no power of removal, though he did undertake to retain that power in this way. He should have appointed all these chancellors during the winter of 1873–'74. The constitution made it his duty to appoint them in anticipation of the vacancy, by expiration of their term of office, so that it would be by and with the advice and consent of the senate. But he omitted to do it in every case, and waited until the legislature had adjourned, and the vacancies actually occurred then, in the recess of the legislature. He appointed and removed them as he pleased until confirmed. That gave him complete power.

Q. And that gave the governor the control of these judicial officers, and they in turn had the control of registrars of election throughout the State. Don't these registrars have power to appoint the judges of election throughout the State?—A. Yes, sir.

CASE OF CHANCELLOR DRENNON.

Q. There was a case stated in the county of Yazoo in which a chancellor by the name of Drennon was removed by Governor Ames, and that removal was in part attributed to the refusal of Drennon to grant a writ *habeas corpus* of or to discharge upon the hearing, a man named Morgan, the sheriff of the county, who was under a charge of murder.—A. The facts of the case are these. Powers, who was lieutenant-governor, had become acting governor after Alcorn went to the Senate in 1873. He had appointed Drennon chancellor. The first chancellor of the district had died. Powers went out of office the 1st of January, 1874, and Ames came in. This man Morgan, in some altercation about the office of sheriff of the county, killed the old sheriff, in January, 1874. Morgan was then arrested and committed to jail, and he applied for writ of *habeas corpus*, that he might be bailed. Drennon heard the case, and refused him bail.

PROVISIONS OF THE STATUTE REGARDING COMMITMENTS.

Q. Was not the ruling in view of the fact that trial had been had before a justice of the peace and bail had been refused?—A. Yes; that is the regular course. Parties accused of crime never go to a circuit judge or a chancellor unless the justice of the peace has refused bail. This case had taken this course. He was examined by a justice of the

peace and committed to jail, bail being denied him, and then he applied for bail to Chancellor Drennon, who was chancellor of the district. The case was heard and bail refused. A very short time, a day or two afterward, Drennon received a notice from Ames that he was removed as chancellor. The attorneys of Morgan had not taken a bill of exceptions to the ruling of the court in refusing bail, and so this judgment of refusal was final. In that condition of things here is a law that was passed by the legislature.

THE PROVISIONS OF THE REVISED CODE REGARDING HABEAS CORPUS.

Q. In what year?—A. Just shortly after March, 1874, after Drennon had refused bail, the legislature then passed this law: "That the said section 1418, of the Revised Code of 1871, be, and the same is hereby, amended by adding to, and at the close thereof, the words following, to wit: *Provided, however*, That in all cases in which a party has been, or may hereafter be, committed to jail without the privilege of bail, and from inattention or neglect, or the testimony adduced on his trial was not during his trial reduced to writing, and no bills of exception were signed by the court or magistrate hearing application, or where from any cause such parties are unable to prosecute on appeal from the judgment or order committing him, to the supreme court of this case, the judgment rendered against him shall not be conclusive, and he shall be entitled to prosecute another writ of *habeas corpus* in accordance with the provision of this act, as if no former writ had been sued out." Approved March 2, 1874. This act is on page 22, chapter ii, of acts of 1874.

MORGAN BAILED.

After Drennon had been removed, he not having been confirmed by the senate, Governor Ames appointed another chancellor, to whom an application by Morgan for bail was immediately made, and Morgan was bailed.

Q. He allowed him bail?—A. Yes; and that was the last of the case. The grand jury, being republican, found no true bill.

Q. Who was appointed judge?—A. Thomas Walton, the present district attorney of the United States.

Q. Was it understood then that this man Morgan was a political partisan of Ames?—A. Yes; extreme, intense.

MORGAN'S CHARACTER.

Q. What was his general character there?—A. I had no personal knowledge about him. His reputation was very bad; with democrats and conservatives he stood very low.

Q. The offense was murder with which he was charged?—A. Yes.

Q. Do you understand that Chancellor Drennon was removed by the governor for refusing to grant Morgan bail?—A. He did not say that was the cause. He said about this: "You are hereby suspended from your office as chancellor."

Q. It was summary?—A. Yes.

Q. Immediately on the heel of this transaction?—A. Yes, I think by telegraph. It was very summary and immediate. I think I have seen the telegram published. It was very summary, and immediately after the action refusing bail.

WANT OF CONFIDENCE IN THE JUDICIARY.

Q. State generally what the feeling among the people of Mississippi, tax-payers and property-owners of the State, was, by reason of this system of judicial appointment?—A. There was a great want of confidence in the judiciary. It was known, at least to the lawyers, that a

great many of them were wholly incompetent, and many questioned really their honesty.

CASES IN POINT.

I will state a circumstance or two that came under my observation. Some time in the fall of 1874, I was called upon by a republican, in my county, to file a bill for him; he stated the case to me, and I told him I did not think he had a good case. He wanted to obtain an injunction against certain other parties, and his bill was written out, and my name afterward was put to it, but I did not authorize it.

CASE OF NABERS.

By the CHAIRMAN:

Q. Who was the complainant?—A. B. D. Nabers. He is a republican, living at Holly Springs. The legislature had passed a law in 1874 which required the chancery and circuit judges in the district to designate a newspaper in which all legal advertisements should be made. That was the law in 1874. Nabers said that he had written to Ames after his election and told him that he wanted to get the printing in his district, and that he wanted him to require the man whom he should appoint to pledge himself in advance to give Nabers the printing.

Q. Who was the official who had the right to name the printer?—A. The circuit judges and chancellors. I will read the letter of Nabers to Ames, and Ames's reply, which is in their own handwriting.

[See Exhibits A and B herewith.]

There were two old papers in the county, of extensive circulation, and Nabers did not have a type nor an office; he was accordingly appointed. And as to his paper, I do not suppose he had, when appointed, any subscription-list. His paper he had printed at one of the old offices in Holly Springs.

LEGAL NOTICES TO BE PUBLISHED IN NABER'S PAPER.

Q. Were the notices of all executors and administrators to be published in that newspaper?—A. Yes; also sheriffs' sales of lands, and all other notices required by law to be published had to be published for all the counties in the district in this official organ. There were four counties in the chancery district. Publication in this paper was no notice at all in many cases, and where I had important sales I would put the notices in one of the town papers.

NABER'S INJUNCTION.

Q. An extra expense to your client?—A. Yes. After Nabers had been publishing his paper a few months there was a falling-out between him and some other radicals, and they undertook to remove him as editor of the paper and give it to somebody else, and it was to enjoin these parties from interfering with him in his newspaper that he applied for this injunction.

THE PARTIES.

Q. Against whom did the injunction proceed?—A. Against George M. Buchanan, who was sheriff; N. G. Gill, a leading republican of the county; James Hill, a colored man, secretary of state; E. P. Hatch, collector internal revenue; J. H. Pierce, marshal of the northern district of the State; L. Y. Reynolds, a colored man, who has since fled the county on account of some crime; John A. Mahan, Robert Cunningham, a colored man, and L. Abbott, the chancellor. These are the defendants.

Q. Have you a copy of the order for the injunction?—A. I think it is here. The injunction was granted by J. Tarbell, one of the supreme-court judges. I will submit the paper, that a copy may be made of such part as may be necessary to an understanding of the case:

COPY OF INJUNCTION.

THE STATE OF MISSISSIPPI, *Marshall County, ss:*

CHANCERY COURT, *January Term*, 1875.

To the honorable L. C. ABBOTT, chancellor ninth district, sitting at Holly Springs, in the county of Marshall, and sole presiding therein.

B. D. NABERS, A CITIZEN OF MARSHALL COUNTY, COMplainant,
vs.
GEORGE M. BUCHANAN, N. G. GILL, JAMES HILL, E. P. Hatch, J. H. Pierce, L. H. Reynolds, John A. Mahan, Robert Cunningham, and L. C. Abbott, citizens of Marshall County, with the exception of J. H. Pierce, who is a citizen of La Fayette County, and James Hill, who resides in Jackson, said State, defendants.

Complainant respectfully shows unto the honorable court as follows: That on the 3d day of April, 1874, an act of the legislature of the State was approved, entitled "An act entitled 'An act to regulate legal advertising in the several judicial districts of Mississippi, and for other purposes,'" by which law it was made the duty of the chancellor holding court in any judicial district in this State, or a majority, should more than one chancellor hold court in such judicial district, to appoint one or more newspapers in such judicial district, in which paper or papers shall be published all advertisements or other matter required by law to be published; and the said law also conferred upon the governor, upon the recommendation of the chancellor or chancellors making the appointment, or his or their successors in office, the power to revoke such appointment, for good and sufficient cause to revoke such appointment, upon the recommendation of the chancellor or chancellors making the same. Knowing that a chancellor for this district, embracing the counties of Benton, Marshall, La Fayette, and Yalabusha, was to be appointed by the governor in a short time after the passage of said law, complainant on or about the 7th day of April, A. D. 1874, addressed a letter to Governor Adelbert Ames, then and now governor of the State, stating to him that he, complainant, wished to start a newspaper in Holly Springs, Miss., to sustain the State and national administrations of the republican party; but before doing so he wished to ask, if consistent with the governor's views of propriety, that he would require of his appointees in this district, before appointment, that they would designate complainant's paper to do the official printing for said district.

The foregoing may not be the literal terms of said letter, but it is the substance thereof, as now recollected by complainant. A copy of said letter, to the best of complainant's recollection, is herewith filed, marked "Exhibit A," and prayed to be taken as a part of this bill. Complainant preserved no copy of said letter, and is therefore unable at this time to give an exact or literal copy of the same.

In a few days after complainant forwarded the said letter to the governor at Jackson, Miss., by mail, he received from him a reply, dated April 10, 1874, which, after acknowledging the receipt of complainant's letter having reference to the district printing, he said, "I will gladly co-operate with you in the enterprise of which you speak." The said original letter of Governor Ames is herewith filed, marked "Exhibit B," and prayed to be taken as a part of this bill.

Some time after the receipt of said letter, complainant had a personal interview with the said Ames at the depot at Holly Springs, Miss., when he recognized his said promise to give to complainant the public printing as aforesaid, and stated, in reference to the recent establishment of another republican paper in the district, that he "hoped said newspaper would not interfere with complainant." Complainant also had other assurances to the same effect from the said governor.

After this the defendant, L. C. Abbott, was appointed chancellor of this the ninth chancery district, and the said Abbott frequently spoke to complainant about the public printing of the district, and always received from him assurances that complainant's contemplated paper should be appointed the official organ of his district; and in July last, as complainant now recollects, the said Abbott being in Oxford, Miss., complainant addressed a note to him in regard to the said public printing, to which was received from the said Abbott an answer in which complainant was assured that it was understood, as a matter of course, that the chancery-court printing of the said counties of Marshall, La Fayette, and Yallabusha will go into the Tribune, which was the name of complainant's paper; in said letter the said Abbott also stated to complainant that if he would write out the proper notice to the secretary of state, he, the said Abbott, would forward it as soon as received, &c. The said original letter from the said Abbott, in pencil, is herewith filed, marked "Exhibit C," and prayed to be taken as a part of this bill. Complainant would further show that the said Abbott did designate through the secretary of state to the governor that his said paper, the Tribune, had

been appointed by the said Abbott, chancellor, &c., the official organ for the said three counties, Marshall, La Fayette, and Yallabusha; in so designating the said Tribune, complainant was named as editor thereof. And in the said appointment Hon. P. P. Bailey, chancellor of the district that embraced one or more counties of the circuit-court district of which the counties aforesaid formed a part, fully concurred.

After the said matters were all arranged and understood, the defendants, George M. Buchanan, N. G. Gill, James Hill, J. H. Pierce, and E. P. Hatch made an arrangement by which John Calhoon, of Holly Springs, Miss., was to publish the said Tribune, and furnish five hundred copies of it weekly, in consideration that he, the said Calhoon, should receive the pay for all official printing done in the paper and the proceeds of all subscriptions to the said paper above the said five hundred copies, and complainant on his part was to receive the subscriptions paid on the said five hundred copies, and also the sum of $1,000 per annum, in monthly instalments, to be paid by the said Calhoon, in consideration of his services as editor, and a contract as to the said compensation to complainant for the term of one year was made and concluded between complainant and the said Buchanan, Gill, Hill, Pierce, and Hatch.

Accordingly the publication of the said paper, the Tribune, was commenced in Holly Springs on the 11th day of July last, and it has been published weekly since that time, and is now in the process of regular publication, and the said Calhoon has regularly paid to complainant his monthly installment of eighty-three dollars thirty-three and one-third cents, that being one-twelfth of the one thousand dollars. Complainant's name has always appeared as the editor of said paper, and many subscribers have been obtained thereto by complainant, who would not have taken said paper but for the relation of complainant to it. That complainant was recognized as the sole editor of said paper is shown by a written statement to that effect, of the date of July 25, 1874, signed by J. H. Pierce, and indorsed by E. P. Hatch and George M. Buchanan. A copy of said paper is herewith filed, marked "Exhibit D," and prayed to be taken a part of bill; the original of said paper, if within the reach of said complainant, will be filed on the hearing. Complainant would further show that he established and assumed the editorship of said paper for the purpose of presenting to the public his own views upon matters of public interest, and on the faith of the profits expected to accrue from it and promised to him, he has assumed liabilities and made contracts which he will be unable to meet should he be deprived of said profits or his said salary.

Complainant would show that he has been informed, and upon information states the fact to be, that the said Buchanan, Gill, and Hill have undertaken to disconnect themselves from said paper, and to transfer their so-called interest in and control over said paper to the defendants, L. H. Reynolds, John A. Mahan, and Robert Cunningham, in connection with the said Pierce and Hatch, and on the 9th day of November, 1874, complainant was served with a notice by which he was informed that the Mississippi Tribune Company had elected L. H. Reynolds business manager for the said company, with authority to employ an editor, which notice is signed by Robert Cunningham, secretary Tribune Company. Said original notice is herewith filed, marked "Exhibit E," and prayed to be taken as a part of this bill.

Complainant avers and charges the fact to be that neither one of the defendants hereto has advanced any money or consideration whatever for the establishment or purposes of said newspaper, and he is informed and avers that they have no right to interfere with him as the editor of the same; he, moreover, denies that the said Reynolds, Mahan, or Cunningham are any wise connected with the said paper, or have any right whatever to interfere with complainant as editor thereof or with his rights in the premises; nevertheless, as complainant has been informed and charges the fact to be, they, together with the said Pierce and Hatch, claim to constitute a company called the Mississippi Tribune Company, which they say is the proprietor of the said paper, and as such has the right to take it out of the hands of complainant and dismiss him as editor; and this they are now seeking and conspiring to do. And complainant believes and charges that without the interposition of a court of equity he will be subjected to irreparable injury in the premises by the actings and doings of the said defendants. The said Reynolds called on the 9th instant at the publishing house of the said paper in Holly Springs, Miss., and in the absence of the said Calhoon stated to the foreman of the office that complainant no longer had any connection with said paper, and that he, the said Reynolds, was now the editor of it, or words to this effect, and the said parties threatened to assume exclusive control of said paper, and to deny to complainant the right to receive anything in any way from it or as the proceeds thereof. All of which actings and doings complainant charges are contrary to equity and good faith, and in derogation of his rights. The said parties also deny that it is the right of complainant to contribute to the said paper as editor or otherwise.

And now, as complainant is without remedy in the premises at common law, and relievable only in a court of equity, he prays that the persons hereinbefore named may be made parties defendant to this bill, and be required to answer it fully on oath; that they and each one of them, be enjoined from, in any way or to any extent, from interfering with the publication of the said paper called the Mississippi Tribune, or with

complainant as the editor thereof, or from obstructing the complainant in the receipt from the said Calhoon of the said sum of $1,000 as compensation for his services as editor of said paper for the year, and from also receiving all subscriptions paid by the said five hundred subscribers, or that your honor will grant unto complainant such other or further or general relief as to equity may seem right and just, and as the circumstances of the case may authorize or require; and may all proper process issue, and all proper orders be made, &c.

G. WILEY WELLS,
Solicitor.

STATE OF MISSISSIPPI, *Marshall County, ss:*

B. D. Nabers complainant in the foregoing bill, this day personally appeared before the undersigned, and made oath in due form that the matters set forth in the said bill as of his own knowledge are true, and those matters stated upon the information of others he believes to be true.

B. D. NABERS.

Subscribed and sworn to before me this 9th day of November, 1874.
[SEAL.] B. W. LEE,
Justice of the Peace.

STATE OF MISSISSIPPI, *Jackson, Hinds County:*

SUPREME COURT ROOM.

To the Chancery Clerk of Marshall County:

You will issue a writ of injunction in accordance with the prayer of the foregoing bill, upon complainant's entering into bonds conditioned according to law, in a penalty of ten hundred dollars, with sufficient security, to be approved of by said clerk.

Witness my hand and seal this 10th day of November, A. D. 1874, at Jackson, Hinds County, Miss.

[SEAL.] J. TARBELL,
Supreme Court Judge.

Exhibit A.

HOLLY SPRINGS, MISS., *April* 9, 1874.

SIR: I wish to start a newspaper at this place to sustain the State and National administrations of the republican party. Before doing so, however, I have to ask, if consistent with your views of propriety, that you require of your appointees in this district that they will designate my paper to do the official printing for this district.

I am, very respectfully, yours,

B. D. NABERS.

His excellency Governor AMES,
Jackson, Miss.

Exhibit B.

STATE OF MISSISSIPPI, EXECUTIVE DEPARTMENT,
Jackson, Miss., April 10, 1874.

DEAR SIR: Your favor having reference to the district printing is received and contents duly noted. I will gladly co-operate with you in the enterprise of which you speak.

Very respectfully,

ADELBERT AMES,
Governor.

B. D. NABERS, Esq.,
Holly Springs, Miss.

Exhibit C.

DEAR SIR: Your note received. In reply I have to say it is understood, as a matter of course, that the chancery-court printing in Marshall, La Fayette, and Yalabusha Counties will go into the Tribune. If you will write out the proper notice to the secretary of state, I will forward it as soon as received. You can send it to me at Oxford.

Captain Gill is fully posted as to what the understanding is.

I understand Judge Begil will put his printing with the Grenada paper to be started by Price & Co.

I will be up from Oxford the last of the week.

Hastily,

ABBOTT.

Colonel NABERS.

Exhibit D.

OXFORD, *July* 25, 1874.

The editor of the Mississippi Tribune being personally responsible for whatever matter is published in its columns, it is my desire that while Colonel Nabers retains the editorial position he shall be sole judge of the character of all written matter presented for publication, provided that all matter of advertisement nature shall not be included.

J. H. PIERCE.

I indorse the foregoing as my sentiment.

E. P. HATCH.
GEO. M. BUCHANAN.

Exhibit E.

HOLLY SPRINGS, MISS., *October* 28, 1874.

SIR: I am directed by the Mississippi Tribune Company to inform you that L. H. Reynolds has been elected business-manager for the company, with authority to employ an editor.

Very respectfully,

ROBT. CUNNINGHAM,
Secretary Tribune Company.

Colonel B. D. NABERS,
Holly Springs, Miss.

After Nabers had been promised the printing by Governor Ames, and before the paper was started, he addressed a note to Abbott, who had just been appointed chancellor; and here is the reply, in Abbott's own handwriting.

[See Exhibit C above.]

CAPTAIN GILL.

Q. Who is Captain Gill?—A. He was one of the republicans of Marshall County, a leading white republican; a man who manipulated the negroes and controlled them all. He is a white man, but goes out among the negroes, sleeps in their cabins with them, invites them to his own house, sits at his own table with them, and gives them his best beds and rooms, and treats them as social equals.

Q. The foregoing is the original letter of this chancellor?—A. Yes.

Q. And he recognizes the bargain and promises to carry it out?—A. Yes.

Q. What was his name?—A. L. C. Abbott.

Q. Were the rates that were charged for this printing fixed by law, or how were they fixed?—A. By law. They were never too high.

Q. They were reasonable?—A. Yes.

Q. There was a fair profit upon them?—A. Yes.

The CHAIRMAN. I was going to ask if the judge was a printer?

A. I am the half-owner of a paper, and have had a good deal to do with one.

The matter of the compensation of the printer came up again in 1875, when the rates were cut down so low as to destroy the papers. I understood some democrats got the bill through just at the close of the session, without its being noticed.

LEGAL PRINTING PROFITABLE.

Q. The official notices of the administrators and executors were published in this paper?—A. Yes.

Q. All sheriff's notices?—A. Yes. The law required that the entire proceeding of the boards of supervisors should be spread out *in extenso* and published. These boards held their meetings frequently, sometimes every month, and publishing their proceedings was profitable.

PEOPLE LOSE CONFIDENCE IN MANY OF THE JUDGES.

Q. You have read these papers in illustration of this interference of the executive with the judicial body. I will ask you what was the effect upon the popular mind in the State produced by this demoralized condition of the judicial branch?—A. The citizens lost confidence in many of the judges and in the governor, and the State government was brought greatly into contempt. I ought, perhaps, to go so far as to say here that I never doubted the integrity of the three judges appointed by Alcorn on the supreme bench. I never had occasion to doubt their integrity. Peyton and Semival were very good lawyers; the former, however, inefficient from age and ill-health. Tarbell, though a person of education and culture, when appointed was not much of a lawyer. He improved very much, however.

JURISDICTION OF CHANCERY COURTS.

Q. Before whom was what is called the orphans' court business conducted?—A. The chancery court.

Q. And the estates of minors?—A. Yes.

Q. And the dower of widows?—A. Yes.

Q. And the partitions of estates?—A. Yes.

Q. And the conduct of that business is largely *ex parte* here as elsewhere?—A. A great deal of it.

Q. It rests in the discretion of the judge mostly?—A. Very much.

Q. So that an incompetent or corrupt man could do enormous injury?—A. Yes, incalculable mischief. In my judgment, the greatest evil that can overtake a people is an incompetent or corrupt judiciary.

Q. I will ask you whether it was the belief of the people of Mississippi, of the owners of property in that State, that such was the character of the judiciary that Mr. Ames had furnished.—A. Ames's appointees were wanting in public confidence very greatly.

Q. Have you any knowledge of the course pursued by Mr. Ames as to bringing the two races into amity and good understanding with each other, or contrary?—A. I have no personal knowledge upon that subject, but from his public acts.

WITNESS KNOWS OF NO CONCILIATING ACT ON THE PART OF GOVERNOR AMES.

Q. I refer to them and their consequences.—A. I never knew an act upon his part that seemed to be intended or was calculated to bring about harmony and good feeling between the whites and blacks. Everything was intended, I think, to alienate the races and to consolidate the colored vote in his favor. We have passed from the matter, but I spoke of the tendency of the legislation under Ames to concentrate power in his hands.

PAY OF TAX-COLLECTOR.

Q. In the executive hands?—A. Yes; the office of tax-collector was one of great profit; the salary was high. The tax-collector was the most influential in politics in the county. The collector of taxes under the constitution was one of the functions of the sheriff, who was elected by the people. Ames, however, had a law passed giving the power of appointing all tax-collectors to the governor.

CHANGE OF THE LAW REGULATING THE APPOINTMENT OF TAX-COLLECTORS.

Q. What year?—A. In 1875, preceding the election of 1875.

Q. What was that law?—A. That law was one conferring upon the governor the appointment of all the tax-collectors of the State. There

was one for each county. In many counties this office paid twice as much as a circuit judgeship. It was worth from three to ten or fifteen thousand dollars.

Q. The law was passed in 1875, which took from the sheriff the power heretofore held to collect taxes, and bestowed that power upon a tax-collector appointed by the governor?—A. Yes. These appointees, as this law provided, were to go into office January, 1876, so that when the legislature met in January, 1876, he was to have in his hands the appointment of a tax-collector for every county in the State. The election for a legislature and county officers was to come off in November, 1875, and that amount of patronage in the hands of the governor it was supposed would enable Ames greatly to influence the election, and was to be brought to bear on the legislature that met in January, 1876, in its election of a United States senator. But before the legislature met the question was taken to the supreme court, and the court pronounced the law unconstitutional, holding that by the constitution the power of collecting taxes was one of the original functions of the office of sheriff, and could not be taken by the legislature from that office.

Q. But the object of the law was to consolidate power in the hands of the executive?—A. Yes; that would have been the effect, and was doubtless intended by the passage of the bill.

LAW ABOUT REVENUE AGENTS.

Another law was passed for the same purpose, as was supposed, authorizing the governor to appoint for every county a revenue agent. He was to visit the counties, and to look into the accounts of the sheriffs and all other officers connected with the public revenue, and to enforce collections, and giving to this officer 50 per cent. of everything that might be realized from his scrutiny and exertions. That was another officer for every county for the governor to appoint, and one that might prove profitable.

Under this law Governor Ames made some appointments, generally of great partisans, and they were supposed to be electioneering-agents more than anything else.

Q. It went into effect at once, and the officers were appointed?—A. A good many of them; not all. Some of them were filled.

ANOTHER LAW INCREASING THE GOVERNOR'S PATRONAGE.

Q. Was there or not a multiplicity of offices, to increase thereby the executive patronage?—A. Yes. Another law of the same character was passed by the same legislature. The constitution provides that the boards of supervisors shall order all elections to fill vacancies in county offices. But a law was passed saying that no election to fill a vacancy for a county office should be held upon shorter notice than sixty days, and that in the mean time the governor should fill all vacancies. After that I never heard of an election to fill a vacancy in a county office.

Q. This law transferred to the governor that which had hitherto been a power exercised by the board of supervisors?—A. Yes. The effect was that the governor by appointment filled vacancies in the offices of sheriff, clerk, justice, supervisor, &c., under the constitution.

Q. Was that act ever tested judicially?—A. No. The legislature next winter repealed it, as well as the act saying the governor should appoint tax-collectors. No question arose under it. The history of the act which provides that no election should be held except upon not less than sixty days' notice by the board of supervisors is this: That act was passed just after this Vicksburgh difficulty with the sheriffs there, and its language is, "*All elections heretofore ordered*, as well as those that

may hereafter be ordered." The board had ordered an election to fill the vacancy caused by the resignation of Crosby, and before the day of the election the legislature passed this act, preventing the election.

INVESTIGATION INTO THE CAUSES OF THE VICKSBURGH RIOT.

Q. In reference to the Vicksburgh matter, was there not an investigation by the legislature here at the time of the proposed impeachment of Ames, and testimony taken as to that?—A. Just after it occurred there was a full and exhaustive investigation of the Vicksburgh riot by a committee of the legislature, and also by a congressional committee, and then by a committee of the last legislature.

Q. Have you any knowledge of the declaration attributed to Governor Ames in regard to the benefit to the republican party that would accrue by the killing of a certain number of blacks?—A. I have no personal knowledge of the matter. The facts of the case were all brought out in the several investigations before the different committees.

Q. By whom was that testimony taken?—A. By the legislative committees and the committee of Congress.

Q. Do you recollect by what witnesses?—A. Well, I think, James Hill, George T. Harris, attorney-general, and others; their testimony may be seen by reference to the reports of the different committees.

Q. Have you read it?—A. Yes.

[Upon suggestion of the chairman that the witnesses referred to were present or could be had, Mr. Bayard withdrew further questions in regard to the testimony of these witnesses.]

TOO LIBERAL USE OF THE PARDONING POWER.

Q. What do you know generally as to the policy of Mr. Ames in regard to calling out the militia of the State?—A. I have no personal knowledge one way or the other about it beyond his public acts.

Q. Do you know anything, as a public fact, in regard to the exercise of the pardoning power?—A. Yes; I know that it has been exercised with great liberality, and to an extent that greatly interfered with the course of public justice in my own county, and over the State generally.

LIEUTENANT GOVERNOR'S ABUSE OF THE PARDONING POWER.

Q. Do you know the fact that the late lieutenant-governor, Davis, was impeached and removed from office?—A. Yes; Governor Davis exercised the pardoning power in behalf of many persons when Ames was out of the State. Many persons were there indicted for retailing liquor on Sunday, and selling to minors and the like, and I think all got pardons. I recollect the next time I saw Davis after these pardons were granted he was in a buggy riding around Holly Springs and calling on the grocers. I saw him go into one.

Q. The place of one of the men whom he pardoned?—A. Yes.

Q. Davis is a colored man?—A. Yes.

Q. Do you know whether he was impeached and removed from office for accepting a bribe for granting a pardon?—A. Yes. That case occurred in Lowndes County; it was a case of aggravated murder.

Q. Who was the man pardoned?—A. I think the man's name is Banentine, or something of that sort. He pardoned also several other persons who had been convicted of murder and manslaughter.

Q. Do you know of any other cases of legislative action tending to throw power into the executive hands, which you now think of?—A. I think, sir, that I have enumerated the cases I now recollect.

AMES'S ADMINISTRATION CAUSES GREAT DISSATISFACTION.

Q. Speaking irrespective of party in the State, what was the effect

upon public opinion of the course of administration which you have here detailed as to the growth of confidence or dissatisfaction therein?—A. It created great discontent and dissatisfaction. Many of the republican party became as violent opponents of Governor Ames as the democrats were or ever had been.

Q. I would ask you what, in your judgment as a citizen of the State and a close observer of the affairs of the State, was the effect of the discord in the dominant party in the election in 1875?—A. I think the split in the party contributed more to the overthrow of Ames than any other single cause. And in this way: the negroes hearing their own men abusing each other, seemed to be bewildered.

I traveled over the State a good deal during the last canvass. I addressed the people at this place, (Jackson,) and I addressed them at Canton, at Winona, at Oxford, Taylor's Depot, Hernando, Senatobia, and some other places, besides in Marshall County, and had a good deal of intercourse with the people.

CHANGES IN THE FEELINGS OF THE PEOPLE.

Q. With both parties?—A. Yes, and I noticed a very great change in the negroes. Before, they had been unwilling to hear any but their own speakers, and seemed to have no confidence in anybody else. Last fall, long before the election, they were coming out to hear the democratic speakers. They were conversing with democrats, and before the day of election a good many had openly avowed themselves democrats. In my county and in others, of which I heard, a great many had joined clubs, and I noticed, frequently, one or two who would first go and hear; then they would converse with me, and their change was as gradual and slow as it well could have been.

NEGROES BECOME DEMOCRATS.

Finally they would avow themselves democrats and become more enthusiastic than anybody else. Such changes were usual throughout the State before the day of the election, and I heard many of them say, "Well, we have made nothing yet by the republican party; they have done us no good, and I reckon it is possibly best to have a change. We will try it." I don't pretend to give their exact language, but the substance of what many said.

Q. Since the election have you observed the sentiments and feelings of the colored population in regard to this change of administration?—A. I think there has been more of contentment, and quiet, and satisfaction among the negroes since the last election than has before existed in the State since reconstruction.

THE PRESENT JUDICIARY A GREAT IMPROVEMENT.

Q. Excluding yourself, of course, what is your estimate of the present state of judiciary, both as to the chancery, circuit court, and the supreme court?—A. I regard the improvement as very great—very great.

Q. Have the offices of chancellor been refilled? A. Yes.

Q. And the circuit judges also refilled?—A. Yes.

Q. From what class of men, as to legal attainment and character have these appointments been drawn?—A. They have been made from a class of lawyers who had the confidence of the people and who were competent to fill the places. The supreme court bench, with Simrall, appointed by Alcorn, and Campbell, and that man appointed by our present governor, Governor Stone, in point of capacity, integrity, and character, is equal to any court in the Union, and there are not more than one or two chancellors or circuit judges that I, myself, as governor, would not have appointed.

NO INTIMIDATION BY WHITES.

Q. Are you aware that the charge has been made that the late election in 1875 was carried by a general system of intimidation and violence on the part of the democratic party toward their political opponents in this State? I will ask you now, what is your knowledge and your judgment as to the truth or falsity of that statement?—A. Well, so far as my personal knowledge goes, I never witnessed anything approaching intimidation by the whites. Cases of intimidation of colored voters by colored voters did come under my observation. There has always been something of that, but much less of it in the last election than previously. A better class of men, as a general thing, were anti-radical candidates last fall, and a more orderly or fairer election was never held, so far as it came under my observation.

JOHNSON'S OPINION OF AMES'S ADMINISTRATION.

Q. Do you know or ever hear of a colored man, the Rev. J. G. Johnson, of this State, formerly a pastor here? I will hand you this newspaper slip, which you may read.

A colored minister of the gospel, the Rev. Mr. J. G. Johnson, known to many persons here, has published an address to the people of his race, from which we make an extract, and ask a careful reading. Next week we will publish the whole article. On the subject of voting he uses the following language: "He (the colored man) but turned to his league or club to know what order had been sent to him by his superiors, and then considered it his duty, blindly and implicitly, to obey. When the drums beat it was for him to fall into line, and he became as a machine in the hands of those who controlled him. And what is the result of all this? We have an administration of public affairs so notoriously corrupt that it is a by-word and reproach wherever known. Some good men there are in public positions, but they are in a hopeless and helpless minority."

A. I know something of that man; he is a pastor here, and a very reputable man.

Q. Do you believe his statement of affairs to be true?—A. Yes; I concur in his judgment as to what was the condition of things in this State.

Q. You think that there has been a reaction from that condition in some degree, at least since the last election?—A. Considerable.

Q. The negro was permitted by his own color to have some political independence?—A. Yes; and exercised an amount of it that he had not exercised before.

CHANGE IN THE NEGRO VOTE HAD GREAT AFFECT ON THE ELECTIONS—REVELS'S POSITION.

Q. Do you think that had much effect upon the election?—A. Yes; a great deal. We have among us, in my county, Marshall, Senator Revels. He has been living there a year or two. He was a minister of the gospel, and is acquainted over the county, and largely through the State, and I know while he has always avowed himself a republican, he was against the republican party in the main last fall, and did all he could to control his race for the democrats, as he believed it would be best that they should carry the election. He is an influential man, and a man of good sense.

Q. Did you ever hear him make a public speech?—A. I never did; he was a minister, and did not make many, if any, public speeches, but his influence was exerted in other ways.

CHURCH INFLUENCE USED IN POLITICS.

Q. In the churches of the colored people was it the practice in the pastoral addresses for the colored ministers to mingle political instruction with religious?—A. They did mingle it a good deal, I do not know

whether in their preaching, but they were generally very influential politicians, and they brought the dicipline of the church to bear upon those at one time who would venture to vote or go out of their clubs or turn democrats. I know that was at one time somewhat of a terror to them, but it was given up last year, and I never heard of it for some time before the election.

WITNESS HAS NO KNOWLEDGE OF ANY INTIMIDATION.

Q. I asked you in regard to intimidation, and I do not know whether you finished your answer or not?—A. I stated that within my own knowledge there was no intimidation and no violence at all, and so far as I saw it was a free election. Now, I think it was possible that in a county or two, there might have been violence or intimidation, but looking to the election throughout the State, I always believed it to be as fair an election as usually occurs anywhere, and in my county I know it was. That county had previously gone republican several hundred; last fall the democrats carried it by five or six hundred.

Q. What is your county?—A. Marshall County.

ACTION OF CHANCELLOR SULLIVAN OF OKTIBBEHA COUNTY.

There is a further statement I will make in reference to our chancellors which may come under the general questions you have put to me; I do not intend it as impeaching the honesty of any one; it illustrates the character of our judiciary. I had occasion last fall to go down to the county of Oktibbeha to obtain an injunction for a number of tax-payers against the collection of a railroad-tax in that county. Mr. Powers was the republican sheriff by whom the tax was to be collected, and it was to go into his pocket. He was then acting sheriff of the county, and had been a contractor and the tax was to go to him under a contract for work on the railroad. I prepared and filed the bill.

Q. He was a railroad-contractor?—A. Yes, and sheriff also. I prepared the bill and obtained a fiat for the injunction in the name of ten or twelve tax-payers for and in behalf of all others similarly interested under the well-settled rule of chancery practice. The sheriff being the principal defendant, I, of course, put the process in the hands of the coroner of the county, who was a negro. The clerk, who was also a radical, had informed Powers of what was going on, and Powers then obtained from Chancellor Sullivan, who was a tax-payer of the county, and, I understood, did not want to act in the case, an injunction restraining the coroner from serving the injunction in his hands upon Powers or either of the other defendants.

ACTION OF CHANCELLOR FRAZEE.

Q. Where did he get that injunction?—A. From Mr. Sullivan, the chancellor to whom I did not apply because I understood he did not want to interfere, he being a tax-payer as I heard, and so I went to another chancellor. But Sullivan granted Powers an injunction enjoining the coroner from serving the injunction on him, Powers, which the other chancellor had granted on the bill I had filed. I had left the county before this novel injunction was obtained, and ten or twelve other tax-payers came forward and employed other counsel, who dismissed the bill I had filed, and prepared a new bill in the case. This bill was presented to Chancellor Frazee, who lived at Okalona, some distance off. He very properly granted the fiat for an injunction, and after he granted it, I returned to the county. It was a fiat in the usual manner of injunction granting as prayed for, in favor of these ten or twelve tax-payers in behalf of themselves and the other tax-payers of the county. This last injunction was granted on Friday. Chancellor Frazee lived a

hundred miles, perhaps, away. The fiat came back and was given to the clerk to issue. He was dilatory in his action. Next morning Chancellor Frazee came to Starkville, the county-seat of Oktibbeha County, goes to Powers's house and breakfasts with him, and was with him throughout the day and left at night, after which I found out that he had gone to the clerk's office and dissolved the injunction he had granted as to all the tax-payers of the county except as to the eight or ten specially named in the bill. We have a provision in our code that whenever an injunction is obtained, a party upon ten days' notice can move by motion to dissolve, if there is anything irregular about it, or it has been improperly obtained. Chancellor Frazee had granted the injunction; the fiat had perhaps been served; and without notice, upon his own motion, without even a petition, Chancellor Frazee went and required the clerk to issue another amended process, saying that the injunction was to be operative only as to the names mentioned, ten or twelve, perhaps, out of three or four thousand. This was a virtual dissolution of the injunction. These proceedings were irregular and not at all in accordance with law.

Mr. Abbott, another chancellor, was not a lawyer by reading or practice, though a man of good sense and business qualifications, and really preferred by me to several others in the State.

Q. But unlearned in the law?—A. Wholly. He had never practiced law; never wrote a bill; and that was the case, as I have already stated, with several others. I have no reason to complain that Mr. Abbott did not try to do the best he could.

MORE ABOUT THE OKTIBBEHA INJUNCTION.

By the CHAIRMAN:

Q. You spoke of a bill you filed in Oktibbeha County. And there was an injunction from Judge Sullivan to the coroner which was, it appears, disposed of in some way after you left the county.—A. This bill was dismissed. New counsel dismissed the whole proceeding. This second injunction against the coroner prohibited him from serving the first injunction.

Q. This was in the nature of a temporary injunction, which was subject to hearing and final adjudication?—A. Yes.

Q. Why did not the hearing take place on your bill?—A. It was dismissed, as the coroner was prohibited from serving the fiat which had been obtained under it.

Q. Upon hearing?—A. They went to the clerk's office and dismissed it, our laws allowing it be done.

Q. The complainants, then, dismissed it upon advice of other counsel?—A. Yes; as the shortest way to get rid of that case, proceedings which had been enjoined by the injunction against the coroner——

Q. Do you know what the difficulty with that bill was?—A. They stated two or three points. One was that it was not a case for injunction. Another was, they said, the fiat was irregular, not according to law in some particulars. These and others were the grounds upon which the injunction was obtained against the coroner's serving the first injunction.

Q. Then, as a matter of fact in regard to that bill, it was dismissed not because of Judge Sullivan's injunction upon the coroner, but because other counsel were of the opinion that the bill was not correct?—A. No; they dismissed it, as I said, as the shortest way of getting rid of this counter-injunction.

Q. The counter-injunction was of the nature of a temporary injunc-

tion, subject to final hearing?—A. That is the nature of all injunctions here.

Q. Then, why not go on with the hearing of that bill instead of preparing another?—A. The time for the collection of taxes was running out. There were but few days within which to collect, and they were pressing collections very earnestly, and the loss of a few days would have been fatal as to the taxes of that year.

WITNESS'S OPINION OF B. D. NABER'S BILL.

Q. You stated to us in regard to this bill of B. D. Nabers that you exhibited, that they were the original papers. Are they?

The WITNESS. Nabers's bill?

A. Yes; the papers before us are the originals.

Q. You got them from the clerk's office?—A. Yes.

Q. Is that the custom here? Have clerks any right to do that?—A. I had a right to them. They came out under a rule of the court.

Q. I understand you that you advised against this bill?—A. I did not think it a proper case, and I would not put my name to the bill; but I did not advise Nabers not to proceed with it. I told him, further, at his earnest instance, I would give him aid and instruct him how to prepare his bill, and, I think, I dictated it to an amanuensis. I afterward saw my name there, but it was not in my handwriting, nor with my knowledge or consent. They put down nearly all the counsel in town as for the complainant. I told him that, in my judgment, it was not a proper case for an injunction.

Q. The bill was prepared by Mr. Wells?—A. No; it was written by his clerk.

Q. Mr. Wells is mentioned as a solicitor for the complainant. As a matter of fact Mr. Wells did sign this bill as solicitor, "G. W. Wells?"—A. I think so; a great many names are marked to it.

Q. This is Mr. Wells's own signature?—A. It is, I believe; and he probably filed the bill.

Q. That makes it his bill?—A. Yes; that is so.

Q. Is he not a good lawyer?—A. I do not think he is a very good one, though pretty fair practitioner.

PERSONAL RECORD.

Q. You came to this State in 1844?—A. In the spring of 1845.

Q. You are now judge of the circuit court in this State?—A. Recently appointed.

Q. Did you take any part in the politics of the State previous to the rebellion?—A. Yes, some little.

Q. Were you interested in the institution of slavery in any way?—A. Yes.

Q. Were you a slaveholder yourself?—A. Yes, a slaveholder.

Q. Were you a slaveholder before you came here?—A. I was, though never a very large one. I had some negroes when I came to the State, and bought some here.

Q. You brought some slaves with you when you came here?—A. Yes.

Q. You were a member of the senate in the confederacy?—A. Yes.

Q. From 1863 to the end?—A. Yes, sir; I was elected in the summer of 1863, but I do not think I took my seat until the following March.

Q. You were fully identified with the southern movement in the war?—A. Well, I was opposed to the movement. I opposed secession, but after the State went out I co-operated with all my might. I made a great many speeches against secession.

WAS A MEMBER OF THE CONSTITUTIONAL CONVENTION—RESIGNED.

Q. When the war ended, what was your course with respect to reconstruction?—A. Well, sir, I thought that we should make the best terms that we could, and my policy was to aid in reconstruction; and on that principle I became a candidate for the State convention, called under the reconstruction laws, and was elected a member of that body. I remained in that body some two or three months. They finally introduced a disfranchising clause there, and I inquired of them if that was the settled policy of the body, and they said it was the sense of the majority of the body. It seemed so to be, and I understood it was the settled policy of the majority to carry out wholesale disfranchising of the old citizens. I then resigned and went home, and took no further interest in the matter, one way or the other.

WITNESS VISITS WASHINGTON.

Q. You came to Washington after that in connection with a public mission?—A. After that constitution had been rejected, and after a good many efforts had been made by people who went on to Washington for the purpose of having the constitution which had been rejected fastened upon the State by application to Congress, I went there for the purpose of preventing that if I could.

Q. You appeared before the reconstruction committee of the House?—A. I did, and was examined there.

THE ACTION OF CONGRESS WAS REASONABLE.

Q. Do you recollect what the action of Congress was?—A. Yes.

Q. Was it satisfactory to you at that time?—A. I can say that I accepted it as the best thing that we could do.

Q. Was not the action, upon the whole, in the line of your desire?—A. Yes.

Q. And as reasonable an agreement as you could expect under the circumstances?—A. Yes; about as satisfactory, though it might have been more so if I could have framed the bill; but then I thought it was a very dangerous experiment to give the right of suffrage to the colored population, and, indeed, to make suffrage universal.

Q. You did not favor that?—A. No.

NEGROES UNFIT TO EXERCISE THE RIGHT OF SUFFRAGE JUDICIOUSLY.

Q. What is now your opinion, after an experience of eight years, in regard to negro suffrage?—A. Well, I have thought it had become a fixed fact, and I am indisposed to take any step toward taking it away or interfering with it.

Q. Not quite prepared for that?—A. No; but at the same time I think they are wholly unfit at this time to exercise the right of suffrage judiciously, and that it is a public calamity that we have been brought into our present condition; but at the same time there is no feeling or purpose upon the part of any one within my knowledge to make war upon reconstruction as accomplished.

AFFECTIONS OF SOUTHERN PEOPLE RETURNING TO THE OLD FLAG.

There has been a revolution in the public mind in reference to reconstruction and the Union that has been greater than I had anticipated or believed possible; and I believe that the affections of the people of the South are returning to the old flag and hovering about it to an extent that ought to be satisfactory to every section of the Union. We must have some country and flag, and things in this respect are righting fast, in my judgment.

Q. A great change in that respect?—A. Yes; and I will add that,

since slavery has been abolished, there is no reason why we should not be one people, and this, I think, is the general sentiment; that bone of contention, slavery, is removed; and the people of Mississippi are prepared now, if treated with any justice, to remain true to the Union and steadfast in their allegiance to the Constitution and laws of the United States.

Q. Upon your return from Washington after that mission, what was your action in regard to the constitution and the amendments that were passed by Congress?—A. I made no further war against its adoption, and it was adopted.

Q. Did you take any step toward procuring its adoption?—A. I do not recollect, or think that I made speeches for or against its adoption.

PROVISIONS OF SHARKEY'S CONSTITUTION.

Q. Were you connected with the State government after 1865 when the legislature was called under President Johnson's proclamation—Governor Sharkey?—A. I was not a member of the legislature; I was a member of the first convention that Sharkey called to change the constitution; I was a member of that body, but not of the legislature in 1865.

Q. Did the changes in the constitution provide for negro suffrage?—A. I think not.

Q. Was there any effort made by you or any person of the majority in that convention in favor of negro suffrage?—A. I do not think there was.

Q. Were there any provisions incorporated in the constitution touching the negroes in any way as to their rights, civil or political?—A. The constitution is here. I do not think that there was any provision intended to abridge them greatly, but they were not regarded as citizens of the United States under the decisions of the Supreme and State courts, and they were left where these decisions placed them.

WITNESS'S OPINION OF THE BLACK CODE.

Q. The legislature that assembled passed some acts, among other acts, providing for apprenticing colored orphans, colored children whose parents did not make ——?—A. The black code, I understand, is what you refer to.

Q. Also in regard to the possession of land. Did you have any opinion at that time upon those measures?—A. I did, sir.

Q. What was that opinion?—A. A little history, perhaps, will give it to you. There was a candidate for a seat in the legislature, William F. Mason, a most estimable gentleman, of fine sense, a conservative democrat. In the canvass, something was said about the status of the negro; and Mr. Mason concurred with me very fully—we had been intimate personal friends and elders in the same church—and he took the ground that something must be done about this condition of things, and especially about allowing such legislation as this to be made. A gentleman by the name of Taylor ran against him for the senate. Taylor was an extreme man, in favor of legislation restraining the rights of the negroes; and on the day of the election it was believed by most of the conservative men that Taylor would carry the day. To prevent this, I was requested by the friends of Mason to address the people; and I made a speech, not a very long one, nor to a very large crowd, but I opposed Taylor's extreme views, as many others did. But at the same time I scarcely knew what was to be our condition. We were perfectly appalled at it. I thought that this legislature of 1865 went much too far, and there were a good many in Marshall County, to my knowledge, who did

not concur in that legislation; and I think that had there been no interference at all on the part of the General Government, it would soon have passed away and have been abandoned.

WHITES RESPONSIBLE FOR THE LEGISLATION.

Q. Considering the legislation, and the men who were responsible for it, I ask you if the men who were responsible for it were not the white men of the State, the slave-holding class generally, and the men who now are in the democratic party of the State, and have been since that day?—A. The white population of the State at the time were responsible for this legislation.

Q. And the men who were in that legislature have generally since been identified with the democratic party?—A. I know of persons now rabid radicals who were in that legislature and favored that extreme legislation.

RIGHTS OF THE NEGROES SAFE IN THE HANDS OF THE WHITES.

Q. But are not the majority of those who favored that legislation now members of the democratic party?—A. I think so, sir; but in justice to them I must say that those very men are not still in favor of that legislation. If I can judge from what I have heard, and I have had very free intercourse with the people of the State, I think that their views have been modified very materially on those questions, and that to-day the rights and franchises of the negroes, as now existing, are safe in the hands of the white people of Mississippi.

Q. But is it true that at that time the white men pursued a policy in regard to the negroes apparently adverse to the interest of the negroes, and which the same white men now admit was an erroneous policy?—A. I think such is the case. But more who favored that policy now look back upon it and admit it was an error. I think so.

WHY A GOOD FEELING SHOULD EXIST BETWEEN BLACKS AND WHITES.

Q. Is it strange that the negroes (who were opposed to that policy, and who then entertained the opinion that it was an erroneous policy, which opinion is now shown to be correct by the concurrence of the white men, who then advocated that policy) should doubt the wisdom of the men who were in error then, as is now admitted by their own confession; is it strange that the negroes hesitate to believe those men?—A. I thought it natural under the circumstances that the negroes should start out republicans; but in view of what subsequently transpired, I was expecting the negroes to change their first political opinions, or their unfriendly feelings toward the old white population of the State. The business intercourse between the whites and the negroes from that day to this has been considerable. The negroes have wanted the lands of the whites and the whites have wanted their labor. The whites have assured them again and again that they acquiesced in all the reconstruction measures, and intended to regard them as final, and that they proposed to do justice by them; and for several years better feeling has been growing up between the whites and the blacks, and during the canvass last fall this good feeling was greatly strengthened in my section of the State.

Q. Was there any legislation at the last session calculated to increase the confidence of the blacks in the white population of the State?—A. I know of no legislation that was calculated to impair their confidence in the whites of the State. I have heard from negroes repeatedly that they were satisfied that the whites had done nothing to hurt them.

EXTENT OF WITNESS'S INTERCOURSE WITH NEGROES.

Q. How extensive is your intercourse with the negroes?—A. Well, I

hardly know how to answer that question. I have been a lawyer, and have had a good deal of intercourse professionally with them. I have taken some part in politics all the while, and I have made it my business to converse with them. I think the negroes have in me as much confidence as in most old citizens, particularly as an old whig, and as one whose whole course has been conservative. They have come to me as often, perhaps, as to any other person in the county.

Q. They look upon old whigs as more friendly to them than old democrats, do they?—A. Such has been somewhat the case, but all are regarded pretty much alike now.

Q. You have not mingled with the negroes enough to know what their views are as a mass, have you?—A. No; I only judge from the conversations I have had with a good many of them, and more particularly with the leaders, and from what I have seen in their conduct.

Then last fall, pending the election, circumstances occurred which confirm me in my opinions on this subject. Heretofore they held their clubs in secret. In my county last fall the clubs met publicly for some time before the election. Previously they wanted to hear only their own men. Last fall they went from place to place, and wanted to hear both sides, and they did hear both sides in my region. They frequently invited democratic speakers to address them. I judge from these circstances.

ABOUT THOMAS WALTON.

Q. Do you know Thomas Walton, district attorney?—A. Yes, sir.

Q. What is his standing as a lawyer?—A. It is pretty good; it is not equal to that of some others.

Q. He is a man of integrity personally and in his profession?—A. I think so; so far as I know and believe, I think that is his reputation.

Q. He is a trained lawyer, is he not?—A. Yes, sir; you speak of Mr. Wharton, do you not?

Q. No, of Mr. Walton?—A. I understood you to say Wharton. I am very well acquainted with Mr. Walton.

Q. What do you say of him?—A. I say he is a very shrewd, sharp man; good intellect and intelligent.

Q. The present district attorney, what is his standing in regard to his profession?—A. I do not know so well. I never practiced in the same circuit with him. I have no right to distrust his integrity; and I believe he is a good lawyer.

Q. He stands well outside of the bar?—A. Yes; I know nothing against his personal integrity. His sudden change from democracy to republicanism and a zealous supporter of Ames was unaccountable to many of his old acquaintances.

Q. He was the judge who issued the *habeas corpus* and allowed Morgan to give bail, was he not?—A. He was.

Q. You said there was no uncalled-for prejudice against northern persons who came as citizens to reside among you, but that it was desired that such persons should come?—A. Yes, sir; in my county.

FEELING TOWARD NORTHERN MEN WHO MAKE POLITICS A TRADE.

Q. You modified it, however—that if they devoted themselves to business?—A. Yes. Where they came in and proposed to become citizens, we were glad to receive them; but when a man would come among us, having no pursuit or calling but just to run about among the negroes, ingratiating himself with them, and thereby getting the control of them, and making politics his only calling or trade, we did not have any use for such characters.

Q. Now, if a man should come among you as a lawyer, and should make speeches to the negroes in a canvass, now would that affect his standing?—A. It would depend upon the character of his speeches a good deal. We hold and agree that in the republican party there are as good men as anywhere in the world, and that the population of the North is equally as good on the one side as on the other; and there are good men in the South, too, and have been republicans, but we can generally form an opinion as to whether a man's object is to become a citizen and do his duty as such, or whether his purpose is merely to make politics a trade, and keep himself in office by misleading the negroes and prejudicing them against the whites, and alienating the two races from each other.

CHARACTER OF SOME OF THE CANDIDATES.

Q. You say you can generally judge whether he means to conduct himself within the line of duty?—A. I did not say that. I say we can see what his aim is, and we hold it a duty and an obligation of the citizen to do what is right and best for the State and country. When I see a man coming to Marshall County, containing a large population of intelligent men, property-holders, and see them turn out and advocate for the legislature a ticket that I will give you as an illustration, I think they are not doing right. In the legislature we had five members. The republicans voted for Gill, an ignorant white man, and Williams, Rogers, and Peel, three ignorant negroes, for the lower house, who had no more conception of the duties of a legislator than a horse, scarcely, and for the senate took up a negro named Albright, very ignorant and wholly without qualifications, and elected these men to the legislature. No man of intelligence can be conscious of doing his duty when he is sending such men to make laws.

ABOUT MR. GILL.

Q. Who is this Mr. Gill?—A. He came South in connection with the Freedmen's Bureau. In some respects he has qualities that we admire, because he was transparent, undisguised, associated openly with the negroes, and all that sort of thing. There was no doubt about his opinions, and he seemed more honest than many others, because he had no concealments.

Q. What was his position?—A. He was postmaster for a while.

Q. At Holly Springs?—A. Yes.

Q. He has moved out of the county?—A. Yes.

Q. How long was he postmaster?—A. Several years; I cannot say, sir.

Q. From what State is Mr. Gill from?—A. Illinois, I think.

Q. Do you know whether he held any office formerly?—A. I had heard he was a captain of a negro company.

Q. Were you personally acquainted with him?—A. Yes.

Q. Do you, upon reflection, adhere to the statement which you made, that he was very ignorant and hardly more capable than a horse?—A. I think that he was not educated sufficiently to be a legislator. That remark would more properly apply to his four associates, who were incapable wholly of comprehending the duties of a legislator.

Q. You do not think so hard of Gill as to say that of him?—A. His intelligence is far above that of the negroes elected on the ticket with him.

Q. You would not be responsible for the statement that the colored men as a class hardly knew more of the duties of a legislator than a horse?—A. That may be going perhaps a little too far. I meant to convey the idea that a body composed of such men could not legislate with any safety or success for any people in the world.

CHARACTER OF THE BOARD OF SUPERVISORS.

At the same time these men were elected to the legislature we had a board of county supervisors elected, consisting of five. This is a very important court or board; it is pretty much to the county what a legislature is to the State. For this board the republicans elected three negroes and one white radical. One conservative got in. These negroes had no conception of their duty. I am not sure that either one of them could read or write, but they were mere figure-heads. They had not the capacity to consider a question nor to intelligently act upon any matter whatever, but some outsider would impress his views upon them and tell them what to do.

GILL AS POSTMASTER.

Q. Do you know Mr. Gill personally?—A. Yes.

Q. He lived in your town?—A. Yes.

Q. You met him frequently?—Yes.

Q. Did you ever have any business with him?—A. As postmaster, simply.

Q. You say he was postmaster one year?—A. Several years.

Q. Holly Springs is a place of importance?—A. It has a population of about 3,000.

Q. Upon the whole, was he acceptable to the people?—A. He made a pretty good postmaster. He did not discharge the duties in person. He got an old citizen as his deputy, a man named Yowell.

Q. Do you mean to have the committee understand that he was not capable?—A. He may have been capable, but he did not discharge the duties himself to any great extent. He had a deputy by whom the duties of the office were performed. I have known clerks of courts and sheriffs, elected by the republicans in this State, who were wholly uneducated, and in some instances could not read or write.

TACTICS OF REPUBLICAN LEADERS.

Q. Do you mean to say Mr. Gill was not qualified to discharge the duties himself?—A. I do not know but that he could have discharged the duties of the office, though he was not well qualified to do all the writing the office required. But the theory of the republican party in this State has been that all citizens, without regard to their mental or moral qualifications, were equally competent to fill all public offices, and had the same right to be elected to any office. The white republican leaders, to get office themselves, had to secure the influence of leading negroes, and this they did by bringing them out for office and supporting them for office. In this way the four negroes were elected to the legislature from Marshall in 1873, and also the three negroes were elected members of the board of supervisors, all being utterly incompetent. They were eligible to office, certainly, but it was wrong to put such men in places of trust and responsibility. We have had a great many ignorant and incompetent persons as constables, justices of the peace, and members of the legislature, and in various other important places. Nothing like the same state of things ever existed anywhere before.

DISTINCTION BETWEEN THE LEGAL RIGHT OF A NEGRO TO HOLD OFFICE AND HIS MORAL RIGHT.

Q. I only heard part of the expression used by the judge concerning the statement that he told the negroes that they had a right to fill these offices. Was that the statement, and one that he had, as a citizen, the right to make or not, in your estimation?—A. No; that is not the

statement. I have drawn this distinction, and said legally they had as much right to fill the offices as anybody else. We have always conceded this since reconstruction, but think citizens have moral obligations resting upon them. It is their duty to consult the public good, and put in office reliable and good men. Such is the duty of the citizen, and when he departs from it he does what, morally, he ought not to do.

CONDUCT OF GILL AS A PARTY LEADER.

Q. Have you any reasons to suppose that Mr. Gill did not go upon the same ideas which you now express, that it is the duty of the citizens to put in office the men best qualified for the duties, under all the circumstances?—A. To suppose that he acted with that conviction would be to suppose that he was stupid or blind, because I think he has sense to know that men whom he often supported for office were wholly incompetent to fill the places to which they were elected.

Q. But suppose that he considered that the security of the negroes in their civil and political rights was the chief question with them, and that he believed also that the white people constituting the democratic party were opposed to the political and civil equality of the negro, might he not have been justified in voting for and sustaining men who entertained opinions corresponding to his own upon that subject?—A. I do not know how he could have supposed that their rights were so much in danger, as, since the constitutional amendments, laws discriminating against them would be nullities. Moreover, he could have found others better qualified than these men, of his own party. He generally selected negroes that were influential among their own people, and with a view to his own advancement.

Q. Where is Mr. Gill now?—A. He has moved to Holmes County.

Q. Why did he leave Marshall County?—A. I know of no reason except that he could get some good land down there and do better. His wife still lives up there and teaches school.

THE FEELING AGAINST NORTHEN MEN.

Q. Is it not true, Judge Watson, that if a man comes in from the North into your country, and enters upon any business, planting or trade, but gives any attention to politics, identifies himself with the republican party, speaks to the negroes, or is a candidate for office and solicits their votes, that he is ostracized and denounced by the white men of the country?—A. I do not think that it is true as a general proposition. There are a great many against whom we would become prejudiced—men who come into the country and go straight into politics, and into the party which has brought upon us so many wrongs and calamities. There is a prejudice against men who make politics a business, and who, by manipulating the negroes, get into offices for which they are incompetent, and take along with them into offices so many other ignorant and incompetent persons.

THE SOCIAL FEELING.

Q. Is it not a condition of social reputation in the case of a northern man that he shall have done entirely with politics, or else act with the democratic party?—A. No, sir.

Q. Can you name any person in your county who has come in from the North since the war, and who has been an open and avowed republican, voting the republican ticket, who is recognized as a fit associate for the old settlers?—A. There is a gentleman whom I can name—Mr. Stearns. We have had a good deal of intercourse with him.

Q. What is his business?—A. Formerly chancellor there. We have pleasant relations with him personally.

Q. Does he live in your neighborhood?—A. Yes; he is now postmaster.

Q. Have you a family?—A. Yes.

Q. Do your families visit?—A. Yes; my wife has called upon his wife, and also upon Mrs. Wells, the wife of our present Congressman.

Q. How is it generally?—A. A good many have done it, some have not. We have a northern gentleman who has recently come among us. He avows himself on all occasions a republican, a Mr. Rothrock, I think, from Indiana.

Q. What is his business?—A. He came down and took charge of a carriage-factory there; took stock in it largely. Our families have called upon him, and I have no question but that he will be treated with kindness, and nobody will require him to change his politics, either.

ABOUT APPOINTING REGISTRARS.

Q. You spoke of the circumstance that under the law the appointing of registrars was so arranged that they would necessarily be republicans?—A. From the fact that as the law was two of the three members of the board were appointed by the circuit judge and the chancellor.

Q. And the sheriff appointed the other?—A. Yes, sir. The circuit judges and chancellors over the State were republicans. That gave the ascendency to the republicans on the board, whereas before it was in some counties otherwise.

Q. Was there a provision of the law that at least one registrar should not be of the same political party as the others?—A. Yes; and the way it worked there was this—my own county affords an illustration. A Mr. Yowell was appointed as the democrat when he was Gill's deputy as postmaster and dependant upon Gill, and though he always voted for Mr. Gill and most of the republicans, he was the best representative we could get at the hands of the board.

Q. What is the present law in regard to registrars?—A. The present law requires the governor, lieutenant-governor, and secretary of state to appoint the registrars.

Q. How many in each county?—A. Three; and they appoint the inspectors of elections.

Q. Is there any provision as to the politics of the registrars?—A. Yes, sir.

Q. What is that?—A. That they shall not all be of the same party.

RULES OF THE CHANCERY COURTS.

By Mr. CAMERON:

Q. Did I understand you to say it is a rule of the chancery courts in your State that, after a bill or other paper has been filed in the court, the attorney or counsel in the case may remove the bill or other paper from the files of the court and retain it any length of time?—A. We all have the right, under the orders of the court, to take out papers. We are charged with them and held responsible for them. Of course it is supposed that we are not going to take them out so long as to inconvenience anybody, or do any injury in any way.

Q. Is there a rule authorizing it?—A. I think there is one entered on the minutes of the court, authorizing and directing the clerk to allow counsel to take out original papers. It is for our convenience. We have a right to the papers. Such is the universal practice in the courts of the State.

Q. Then you recognized yourself as one of the counsel in the case?—A. No, sir; nothing to do with the case now.

Q. By what authority, then, did you remove this bill from the clerk's

office?—A. I went and asked for them, and I have never been denied the possession of papers when I called for them. I knew I could get them whenever I wanted them, and I just went and asked for them, and they were charged to me.

Q. You don't recognize yourself as one of the counsel in the case, and the rule referred to applies only to the counsel in the case?—A. I have always taken out any papers I wished, whether I was counsel or not in the cases.

Q. Did you or not have any legal right to remove this paper from the files in the court and bring it here to Jackson?—A. I knew my right to take the papers would not be denied, and I went and got them. I may not have told the clerk I intended to bring them down here. My right no one would question up there.

Q. I want to ask you if you had any legal right to get them, as you were not one of the counsel?—A. I do not know whether it would fall within the strict letter of the rule or not.

Q. Do you know whether it would or not?—A. I do not suppose it would.

Q. Then, you have no legal right to remove them?—A. Looking at my uniform practice in the court for thirty years or upward, I have felt free to go and get papers and be charged with them, and often, even, papers in cases in which I was not of counsel. I felt free to call for such papers when I wanted them for information, and I never stop to inquire a moment about whether I was counsel in the cases or not, and when I wanted them I got them. It was a matter between me and the clerk.

Q. You have stated that in your opinion many of the chancellors appointed by Governor Ames were improper persons to hold their several offices. You have also stated that Governor Ames had in your opinion improper persons about him. You have also gone on to show that improper persons were elected to the legislature from Marshall County.—A. And a great many other counties.

WITNESS'S OPINION OF THE RIGHTS OF CITIZENS TO REDRESS POLITICAL WRONGS.

Q. A great many other counties. Now, in your opinion, do any or all of those things authorize the democratic party to prevent the negroes from voting the republican ticket by force, fraud, or intimidation? I do not say that they have done it; I only ask your opinion.—A. I know nothing which legally authorizes the democratic party to use fraud or intimidation. I have thought of that myself in this wise: A great part of the mischief done in Mississippi has been brought about by misrepresentations and falsehoods, and by fraudulently misleading the ignorant colored people. The motives and purposes of our people have been misrepresented; the negroes have been by fraud and falsehood misled, and they were accomplishing our ruin as a people. Taxation was so high that property was almost worthless, bringing nothing scarcely at forced sale.

While I have never practiced on it, and certainly have been as conservative as any man, the question has occurred to my mind, Have we not the right to protection against this fraud, this gross misrepresentation, this ruin, by defaulters and plunderers making way with our substance and all that sort of thing, by the same means by which we would protect ourselves against thieves and highway robbers? I say the question has occurred to my mind; I never practiced upon any such sentiment, but have opposed intimidation and violence, and everything of the kind; but there is a point at which it does seem to me forbearance might almost cease to be a virtue.

The legislatures have been composed to a large extent of ignorant and corrupt persons; the people lost all confidence in the courts; the juries were not fit to try the cases. I have argued cases before juries, involving matters of account, when three-fourths of the jury could not read, and were wholly ignorant of figures. Ignorant and stupid negroes try important criminal cases, involving the life of men of position and property. This is a great injustice to the State as well as to the accused. They may be well-meaning, but they have no capacity to do justice between the State and the individual; no just appreciation of moral obligation; no moral perceptions. This may be their misfortune and not their fault.

But, in reply to your question, I do not maintain and never have acted upon the belief that we have a legal right to resort to force, intimidation, and violence.

Q. You say the question has arisen in your own mind. I ask you have you not answered that question to your own mind.—A. Well, I do not know that I have satisfactorily answered it. I have been asked about it, and I have never given an answer which would lead any one to act upon any such conclusion.

Q. Are you of the opinion that this question which has suggested itself to your own mind, as you have stated, has also suggested itself to the minds of many other white people in this State?—A. I do not know. I cannot answer this question as to others. I know I have tried to convince the colored voters of what I thought was their duty by reason, argument, persuasion, conciliation, and every other means which I thought legitimate and right.

Q. You have stated that the republican party was looked upon as the author of all your woes—perhaps that was not the word—calamities?—A. It is true the republican party who put incompetent persons in power must be to a large extent responsible for it. But I have never supposed that the national republican party contemplated or desired such results, or were at all pleased with them. I believe that in the Northern States the masses of the republican party are just as good as the masses of any other party.

WITNESS THINKS SECESSION THE REMOTE CAUSE OF THEIR TROUBLES.

Q. Has it ever occurred to the white people of Mississippi—has it ever occurred to you—that any of those calamities have arisen from the fact that the State seceded, or attempted to secede from the Union, and carried on a war for nearly four years against the Union?—A. It has always occurred to me that that was a remote cause of the whole thing, and but for that we would not have been involved in this condition of things; but I have always thought that after we had become involved in secession and civil war, and peace had been restored, more wisdom and justice might have been exercised in the measures of reconstruction, and better government and security have been attained.

SECESSION UNWISE.

Q. You were also of the opinion that more wisdom might have been exercised in seceding from the Union?—A. I thought it was unwise at the time.

WITNESS AN ANTI-SECESSION CANDIDATE AND DEFEATED.

Q. I think you stated you were a member of the convention at which the ordinance of secession was passed?—A. No; I was an anti-secession candidate, and was myself defeated as such in my county by 12 votes.

Q. By the secession candidate?—A. Yes; and the balance of my ticket was defeated by about 300. I ran ahead of my ticket, but was defeated.

Q. Do you know of how many persons that convention consisted?—A. Perhaps a hundred. It is right here and we can look at it.

Q. State of how many it consisted, and how many members voted against the ordinance of secession.—A. As well as I recollect, the body consisted of about 100, and I think it finally came to unanimity, though some were elected as anti-secessionists. They finally all got together, I think.

Q. And voted for the ordinance finally?—A. Yes.

ILLITERATE MEN IN THE LEGISLATURE BEFORE THE WAR.

Q. You have spoken of certain persons elected to the legislature from your county who were illiterate men?—A. Yes.

Q. I think you stated that you, prior to the war, had been a member of the legislature of this State?—A. No, sir; I never was of the legislature of the State before the war. I spoke of the Union convention which occurred away back in 1852.

Q. As a matter of fact, prior to the war, were all the members, all the democratic members of the State of Mississippi, gentlemen of high culture?—A. No; not all gentlemen of high culture.

Q. Is it not a fact that in every State illiterate men are elected to the legislature? From general information, is not that so?—A. It is; but I must say that I do not suppose the like was ever seen in the United States before the war. Such legislative bodies as we have had were unknown North and South.

WITNESS'S OPINION OF THE MORAL RIGHT OF THE PEOPLE TO REDRESS THEIR WRONGS BY FORCE, ETC.

By Mr. McMILLAN:

Q. The question was asked you by Mr. Cameron, whether you thought the state of affairs in Mississippi, which you have described, would justify violence, intimidation, and fraud against republicans for the purpose of preventing them from exercising the right to vote. You stated that you thought it was not a legal justification, but it was a question which you had not resolved in your own mind whether or not the people of Mississippi would be justified on other grounds in steps of that kind. I understand you to say, then, that there is a doubt existing in your own mind whether or not there would not be a moral justification of the people of Mississippi in resorting to measures of that kind under the circumstances which you have stated.—A. My idea was just about this——

Mr. McMILLAN. Please to answer the question, and then you can make your explanation. The question is, is there a doubt in your own mind as to the moral right of the people to resort to measures of that kind? If you will answer that categorically then you can make your explanation afterward.—A. Well, sir; I can only answer by some little——

Q. Cannot you say yes or no to that question, and then go on and make the explanation you desire? Yes or no will be a complete answer.—A. I will say, then, I have my doubts as to whether a state of things could not exist and has not existed which authorized us to resort to the laws of self-defense for self-protection. But while I have had doubts on this question, I have uniformly acted upon the contrary principle; so far as I have had any influence, I have brought it to bear upon all persons

in the interests of law and order and justice, and have impressed upon them the duty of patience, and of avoiding violence and lawlessness, for I have hoped and believed that such a course would prove the shortest road to a better condition of things.

Q. You are a member of the church, are you not?—A. Yes.

Q. An elder in the Presbyterian church?—A. Yes.

WITNESS ALWAYS DENOUNCED ACTS OF VIOLENCE.

Q. Has the existence of that doubt as to the moral right to pursue such a course prevented you from disapproving and denouncing any acts of violence, intimidation, or fraud which may have been resorted to in the direction specified?—A. It never has. I have always disapproved of acts of violence and lawlessness.

HAS HEARD OF ACTS OF VIOLENCE.

Q. Have you heard during the campaign of 1875 of charges of the existence of intimidation, violence, and fraud in the State of Mississippi, in different parts of it, against the blacks of the State?

The WITNESS. During the pendency of the canvass?

Mr. MCMILLAN. During the canvass and after its conclusion.

A. I have heard and read such charges.

Q. I do not ask as to the truth of the charges.—A. I have heard such charges made.

THINKS THAT IN SOME CASES THE BLACKS WERE THE AGGRESSORS.

Q. Have you in any public manner denounced, or in any expression of yourself denounced, any such acts if they existed?—A. I have always, whenever I expressed myself, disapproved of acts of violence and intimidation. In some cases of conflicts and alleged acts of violence I have thought that the blacks were the aggressors, and have felt that the whites had a right to protect themselves.

ABOUT THE INJUNCTION GRANTED BY JUDGE TARBELL.

Q. In reference to the bill in equity which has been filed here, upon which an injunction was granted by Judge Tarbell, to which reference has been made, was that order made by Judge Tarbell an order for a temporary injunction upon presentation of this bill?—A. The term temporary injunction we do not find in our books. It is simply an injunction which stands as an injunction until by the action of the court it is dissolved. We have a law providing that a party may in vacation, upon ten days' notice, move to dissolve, but until by action of the court it is dissolved, the injunction stands. Such would be the case in all cases.

Q. Was this order for an injunction granted upon an ex-parte hearing upon presentation of the bill?—A. Upon the bill, nothing but the bill.

Q. Is that the practice in Mississippi?—A. That is the usual practice, to grant an injunction ex parte upon presentation of the bill.

STANDING OF G. WILEY WELLS.

Q. This bill was presented to Judge Tarbell. The bill is signed by G. Wiley Wells, as solicitor for the complainant. Is he a member of the bar of Mississippi?—A. He is.

Q. What is his standing in the community—I do not ask your opinion—his general accepted standing in the community in Mississippi as a lawyer?—A. It is respectable.

STANDING OF VARIOUS LAW-FIRMS IN THE STATE.

Q. He is a practicing member of the bar?—A. He is.

Q. I find indorsed upon this bill as solicitors Watson & Watson.—

A. That was the name of my firm, but that was not put there by me, nor with my approbation.

Q. Judge Tarbell was not aware of that fact?—A. I suppose not.

Q. Was that firm a firm of respectability and good standing at the bar in that county?—A. Well, in regard to that, I shall have to speak of myself. I have long done a fair practice at the bar of the State.

Q. I find also indorsed De Witt Stearnes. Is he a member of the bar and of respectable standing?—A. He was chancellor, and he is now postmaster.

Q. And the firm of Stith & Phillips, are they members of the bar?—A. They are.

Q. Of respectable standing?—A. Yes.

Q. I find also Stricklin & Faut and Falconer & Brothers.—A. All pretty respectable firms.

ABOUT JUDGE TARBELL.

There is an inference which I will correct. I have never heard a word against Judge Tarbell on account of that injunction. As a lawyer and as a judge, I would not have granted it; but I do not impeach his action at all. I thought it an unusual proceeding. I introduce it to the committee in connection with the other facts of the case, but the injunction might have been left out.

Q. I make these inquiries in reference to your statement in regard to Judge Tarbell to do him justice.—A. I do not think I stated anything reflecting on Judge Tarbell. I said distinctly, I think, that I did not impeach the motives or character of any member of the supreme court.

Q. My impression would be different.—A. I did not intend it, and it was wholly foreign to my purpose.

Q. This bill related to the public printer, did it not?—A. It did.

Q. It related to an interference by an association or corporation of persons controlling or alleging a control of that paper, that newspaper—an attempt upon the part of the membership of that association to remove the editor of the paper, did it not?—A. The attempt was made to remove the editor of the paper.

INJUNCTIONS GENERALLY GRANTED IN SUCH CASES.

Q. Under that state of facts, on the presentation of such a bill, upon the application and indorsement of such solicitors, would it not be an ordinary thing for a judge, upon an ex-parte application, to grant such an order?—A. Injunctions are granted with a great deal of liberality, but they are frequently refused.

Q. I ask you, would it not be an ordinary order to make under those circumstances?—A. As a general thing, such applications prevail, though not by any means uniformly. The chancellor-judge feels called upon to scrutinize the application; but I say again I do not refer to that matter with any view to assail Judge Tarbell.

ABOUT THE APPOINTMENT OF REGISTRARS OF ELECTION.

Q. You have referred to the appointment of registrars prior to the act of 1876, and you have referred also to the passage of that law, the act of 1876, authorizing the governor of the State, the lieutenant-governor, and secretary of state, to appoint new registrars in the State.—A. Yes.

Q. Do you know whether under that law an appointment has been made at Vicksburgh, in this State?—A. I think I saw a statement that appointments of registrars had been made for Warren County, in which Vicksburgh is situated.

Q. Do you know that under that law the governor or other officers have appointed one Jack Tinney as registrar of Vicksburgh?—A. I do not.

Q. Do you know Jack Tinney?—A. No; I never heard of him, so far as I am aware of.

NEVER HEARD OF NEGROES PLEDGING CERTIFICATE OF REGISTRATION FOR GOODS.

Q. Do you know whether in your county, during the campaign of 1875, merchants, white men belonging to the Democratic party, ever received from negroes their certificate of registration as a pledge for an advance of goods?—A. I do not.

HOW INJUNCTIONS ARE GRANTED.

By Mr. McDONALD:

Q. Is it usual in your State for judges to grant injunctions on account of the respectability of attorneys whose names are attached to the bill, or upon the facts stated in the bill?—A. Upon the facts stated in the bill.

Q. Supported by affidavit?—A. Yes.

ABOUT LANDS SOLD BY DECREES OF A COURT IN EXECUTION.

By Mr. BAYARD:

Q. I observe here in the twelfth article of the eighteenth section of the first constitution of Mississippi, of 1868, they provide that all lands sold in pursuance of decrees of court or execution shall be divided into parts not exceeding one hundred and sixty acres. Is that provision existing in the constitution now?—A. Yes; in the present constituton.

Q. Under that are all lands sold at sheriff sales and under decrees for partition and sale—are they sold in tracts of that size?—A. They are.

Q. What is the effect of that upon land?—A. In some instances it is, I think, very pernicious.

Q. What is it upon tracts where the buildings are all upon a tract of one hundred and sixty acres?—A. It is necessarily prejudicial.

INTENT OF THE LAWS RELATING TO THE SALE OF LANDS.

Q. Was that intended to promote the subdivision of property?—A. That was the intent. Mr. Gill said to me that one object of his party was to divide up the lands so as to give land to the landless. I have heard of his using this argument in favor of his party.

EFFECT OF THE LAWS RELATING TO THE SALE OF LANDS.

Q. In the settlement of intestate real estate, where it belongs to minor children and is sold, what would be the effect where the buildings and stables of a large tract of land are not all sold with the land; would it not be disastrous?—A. It is in many cases; of course it depends upon the particular tract whether it can be best sold as a whole or in subdivisions. There is another peculiar constitutional provision. The tax sales under the decisions of the Supreme Court as well as our State courts often did not pass good title. They were construed with great strictness. That was well understood in this State. If you will find section eight of article twelve you will see that section provides that to sales of land for delinquent taxes the court shall apply the same liberal principle as in sales by execution. The effect of that is really to aid tax-sale titles.

WITNESS WAS A MEMBER OF THE CONSTITUTIONAL CONVENTION.

Q. Look at this list of names of the persons who signed that constitution. Are you familiar with those names?—A. Most of them.

Q. Were you in the convention with these persons?—A. I was.

Q. How long did you remain in the convention?—A. Two months; may be more.

Q. Did you withdraw before the close?—A. I did.

Q. Do you know the general character of these people, as to their station in life, their reputation, and their occupation?—A. I do not know a great many.

COLORED MEMBERS WERE ILLITERATE.

Q. What proportion of colored men were there among them?—A. There were some twelve or fifteen, I think.

Q. Were there members of the convention who were unable to read and write?—A. Quite a number of them were very illiterate. One of them, a negro named Stewart, wholly without education, has been in office ever since, and is now one of our State senators.

COUNTY OFFICERS UNABLE TO READ OR WRITE.

Q. You spoke here of county clerks who were unable to write. How many do you know of that class?—A. I knew one in De Soto County, and others in two or three other counties. These persons may possibly be able to sign their names, but this is about all. The sheriff of De Soto County for four years was an illiterate, ignorant negro. He was re-elected for a second term of two years each, I think. He had no conception of the duties of his office. He did not pretend to discharge them.

Q. Not able to read the processes, or writs, or write his own returns upon them?—A. No, sir.

Q. In regard to justices of the peace?—A. I have known very ignorant and incompetent justices. They generally are able to write their own names, but so illiterate and uncultivated that it was not possible for them intelligently to read any law whatever. They were wholly incapable of discharging properly their duties.

Q. After 1869, were these persons appointed or elected justices of the peace?—A. I think the colored men were in some instances appointed, but probably more were subsequently elected.

Q. As to the board of supervisors, was it frequently composed of persons totally illiterate?—A. Frequently of persons who were wholly illiterate and could not by any possibility have any just conception of their duties.

Q. Did the same condition of illiteracy apply to the members of the legislature?—A. In a good many cases. Many uneducated colored persons and white men of but little character have been in our legislature since reconstruction.

TREATMENT OF NORTHERN MEN.

Q. You were asked whether gentlemen coming here from the Northern States, allying themselves to the republican party of this State openly, were treated with forbearance and civility. Do you know Judge Campbell and Captain Ross, of Madison County?—A. I know Judge Campbell very well, and have heard of Mr. Ross.

Q. Are they both republicans?—A. Mr. Ross is; Judge Campbell is not.

Q. Do you know whether they are both office-holders?—A. I believe so—Mr. Ross, sheriff, and Judge Campbell on the supreme-court bench of the State.

Q. Do you know whether they have been treated as friends and gentlemen by the people generally of their county?—A. Judge Campbell is a gentleman of high character and standing, and the democrats were

instrumental, I believe, in bringing out Mr. Ross for sheriff in his county. In reference to republicans, while we have not made intimate associates of many of them, we have not treated them with rudeness and incivility. Nobody has ever been hurt on political grounds in North Mississippi within my knowledge. Many of these persons would have had little or no social standing anywhere.

By Mr. McMillan:

TEN OR TWELVE NEGROES IN THE CONVENTION.

Q. You refer to the signers of this constitution; you say ten or twelve were negroes?—A. I think so.

Q. All the rest white men?—A. Yes.

Q. And they produced as the result of their labors the constitution of the State?—A. Yes, sir.

MORE ABOUT THE EFFECT OF THE LAW REGULATING SALES OF LAND.

Q. In referring to sale of lands under execution, you said the law required them to be made in certain subdivisions?—A. Yes.

Q. What were they?—A. Not more than quarter-sections, 160 acres; that is the constitutional provision.

Q. Do you think that was bad policy for the land-owners?—A. Frequently it was.

Q. It is a constitutional provision?—A. Yes.

Q. The object of the sale on execution would be to realize the best price for the land, would it not?—A. It would.

Q. Upon a land sale upon execution, where the lands were sold upon junior judgment, was the land subject to the lien of a senior judgment?—A. I think not, as the law stands.

Q. At the time?—A. At that time, as now, I think, a junior sale passed the title, but the oldest execution or judgment had a right to the money.

Q. Subject to the redemption of the senior-judgment creditor?—A. No, sir; not subject to redemption, but it became a question as to appropriation of money. Judgments had to be registered, and it was the duty of the sheriff to see what liens existed on the land.

Q. You think the policy of selling in tracts of that size was bad policy?—A. I think it was as to many tracts; as to others, no loss results from it.

Q. You have also referred to section 8, article 12, of the constitution, which provides that the legislature shall provide by law for the sale of delinquent-tax land, and the courts shall apply the same liberal principles in favor of such titles as of land sold on execution. In sales by execution the construction as to any acts of the administrator would be liberal, would not defeat the sale, so that title would pass on execution?—A. Yes, sir.

Q. That is regarded as good policy?—A. Under executions it is.

Q. And the same principle would apply to tax-sale by this section?—A. Yes.

TAX-TITLE TO LAND FORMERLY NOT A GOOD TITLE.

Q. Previous to that, you say, tax-titles were not relied upon very much under the strictness with which the law was construed?—A. They were not.

Q. So the tax-title was not regarded, as a general rule, as a very reliable title?—A. It was not.

Q. And this provision was inserted for the purpose of avoiding these strict technical constructions of acts done in the sale of lands for taxes?—A. Yes.

TENDENCY OF THE PRESENT PROVISION OF THE CONSTITUTION.

Q. You think that was an unwise provision, as you said?—A. I think it was intended to inaugurate the policy of a party that wished to divide out lands, and in that way benefit the landless. At tax-sales the lands are generally struck off at the amount of the taxes due on them, which is most generally, of course, very far below their value, and the policy has been to favor the redemption of lands so sold; and as the titles acquired were known to be not very reliable, the owners could generally get them back on very reasonable terms.

Q. Under the former system the tendency would be to render rather unimportant whether the taxes were promptly paid or not; persons would rely upon the insecurity of the tax-title?—A. There were damages added, and inconveniences and losses resulting from the nonpayment of taxes, which made it always to the interest of the owner to pay taxes when he could.

Q. Would not the tendency of this provision be to insure a prompt payment of taxes for fear of losing the land?—A. Such, certainly, is the effect of this constitutional provision, but it also has the effect of embarrassing titles sometimes when owners have endeavored to guard against it.

H. R. REVELS—MARSHALL COUNTY.

GENERAL CHARACTER OF THE CANVASS.

JACKSON, MISS., *June* 22, 1876.

H. R. REVELS (colored) sworn and examined.

By Mr. BAYARD:

PERSONAL STATEMENT.

Question. How long have you resided in Mississippi?—Answer. Since last September a year ago. I went there about the 26th of September, 1874.

[The witness evidently misunderstood the question.]

Q. You were elected to the Senate of the United States by the legislature of Mississippi, in what year?—A. In 1870.

Q. For what term was that?—A. I think for an unexpired term of about one year and one month.

Q. To which political party had you belonged prior to your coming to the State of Mississippi?—A. The republican.

Q. By which party were you elected to the Senate of the United States?—A. The republican party.

Q. Where in this State is your residence?—A. Holly Springs, Marshall County.

Q. The same county in which Judge Watson lives?—A. The same county.

Q. Did you reside there during the year 1875?—A. Yes, sir.

Q. What was your occupation during that year?—A. The work of the ministry.

Q. Are you a regularly-ordained clergyman?—A. Yes, sir.

Q. Have you a church there?—A. At present I am professor of theology in Shaw University. Last January I ceased to be the pastor of my church there.

Q. That university is at Holly Springs?—A. At Holly Springs, right there, the same place.

Q. Did you take part in the political canvass of the year 1875?—A. To some extent, in behalf of Colonel Wells for Congress.

Q. Is he the present Representative?—A. He is the present Representative; yes, sir.

ORDER AND QUIET DURING THE CANVASS.

Q. What was the character of that canvass as to peace and good order?—A. Well, in Marshall County I am satisfied that the canvass was characterized by order and quiet.

Q. What counties were embraced in the district which Mr. Wells represents in Congress?—A. Grenada, Carroll, De Soto, Tate, Panola, Sun Flower, Leflore, and I think there may be one or two more, but I do not recollect.

WITNESS MADE NO PUBLIC SPEECHES.

Q. Were you in other counties in that district during the canvass aiding Mr. Wells than the one you reside in?—A. Not directly; I had business, and in passing through them I spoke a little in his favor privately. I made no public speeches.

Q. Had you in that way some opportunity of knowing what was going on in the various counties comprising that district?—A. I cannot say that I had. I do not think I would be safe in saying that I had an opportunity. I did make some inquiries in several places to know if everything was going on quietly and pleasantly; and at most places where I made that inquiry I received an answer in the affirmative, and in some an answer was given in the negative.

Q. Where were you on the day of the election?—A. I was at Holly Springs.

Q. How did the election pass off there?—A. Quietly. I am prepared to say that in Holly Springs the election was as quiet and orderly and as peaceful as any that was ever held in Holly Springs.

Q. Is your information of the same character in regard to the rest of the county?—A. Yes, sir. I think I was told by one or two prominent colored men that, perhaps at one or two voting-places, there was some little disturbance, but it was caused by a few men who were under the influence of liquor, and they did not regard that.

Q. The ordinary state of affairs that takes place on election-day existed?—A. Yes, sir.

SENATOR BAYARD WANTS THE WITNESS TO STATE FACTS.

Q. The allegation has been made that the election in Mississippi was characterized by gross intimidation and violence, preventing the free exercise of the elective franchise by the citizens, and it is to test the truth of that that this committee came, and I want to know what facts you can contribute of your own knowledge on the one side or the other of that statement.—A. Well, I do not know that I could safely go much beyond what I have already said. If I am allowed, I might say something as to the impression that I have received: that is about all I could say.

Q. It is very hard to say what has not been received before the committee; we came for information.—A. I was going to speak of the impression that has been made upon my mind.

Q. I should rather, as far as I am concerned, you should state any facts that you have.—A. I have no facts, I think, bearing on that point.

WITNESS HAS NO PERSONAL KNOWLEDGE OF INTIMIDATION.

Q. Do you know any acts of intimidation or violence of your own knowledge in the State?—A. No, sir; I do not; I have no present knowledge of anything of the kind.

Q. What was the opinion among the colored people in your county on the subject of politics?—A. Well, sir, quite a number of colored persons talked to me during the canvass, and some of them remarked that the charges which were brought against some of their officers and leaders by the democratic party had not been satisfactorily answered by the others, the candidates on the other side, and that thing bothered them some little. That is, I believe, the most that I have heard them say concerning the matter.

THE SPLIT IN THE REPUBLICAN PARTY, AND ITS CHARACTER.

Q. Has there been a split in the republican party on the subject of sustaining or opposing General Ames' State administration?—A. Well, sir, I think there has been a split on that subject.

Q. Was General Ames' administration assailed by prominent republicans in your part of the country?—A. It was by some.

Q. What were the allegations made against it?—A. Well, I think that they amounted simply to this, that General Ames had not endeavored to carry out the pledges that he made in his inaugural address and in some of his messages to the legislature; and also that he had not done his duty in regard to affairs at Vicksburgh.

Q. What was the character of the pledges his inaugural had contained?—A. I do not recollect that the candidates made that plain, now. I had no connection with it, of course; I only heard this as uttered by two different candidates. I do not recollect what the pledges were, but I know that his failure to perform his pledges in some respects was made the occurrence of their opposition to him.

Q. Was Mr. Wells opposed to Ames's administration?—A. He certainly was, sir.

Q. Did you hear him make any public speeches?—A. I did.

Q. Did he or not assail General Ames and his administration?—A. Wells was opposed by Mr. Howe. They were both republicans; and Mr. Howe and his supporters charged Colonel Wells with being opposed to Governor Ames in his administration. Colonel Wells, in self-defense, denied that, saying that he fully sustained Governor Ames as far as his administration was republican and constitutional; but he could not and would not do it any further.

GOVERNOR AMES REPORTED AS SAYING THAT THE BLOOD OF COLORED MEN WOULD BENEFIT THE PARTY.

After this the charge was repeated; and the next time Colonel Wells defended himself he was more explicit, and went on to state that at the time that Crosby, the colored sheriff, was here advising with him as to what he should do in regard to his office, he having been intimidated in resigning it, the governor advised him to get men enough from the county to put him back in his office; and that this man left, with another colored person who was present; and some white person present, remarked to Governor Ames that he feared that, if the advice he had given that man was carried out, it would lead to bloodshed; and that the better way would be to appeal to the courts; and that Governor Ames replied, saying that even if the blood of a certain number of colored men, say twenty-five or thirty, should be spilled, it would benefit the republican party.

Mind you, this is what Colonel Wells said; he was driven to say this in his public speeches.

THE REPORTED SPEECH A HEARSAY ONE.

Q. It was a public speech?—A. Yes, sir; it was public.

Q. Was Wells present himself when this was uttered?—A. No, sir.

Q. Where did he get the facts?—A. Some one who went from here told it in Washington City, and some friend there wrote Colonel Wells a letter giving substantially what the person said who went from here. That is the way he came in possession of it, as I understood him to say.

Q. Did he assail the administration of Ames upon other grounds; upon those of extravagance and corruption?—A. No, sir; he charged him with having failed to redeem his pledges and perform the promises in his inaugural addresses and messages, but did not go on to say what those pledges were.

Q. He did not detail the charges?—A. No, sir; merely charged them in gross—merely in gross.

REPRESENTATIVE WELLS RECEIVED DEMOCRATIC SUPPORT.

Q. In the canvass, did Mr. Wells receive any considerable democratic support?—A. I think he did. At first the democrats thought of bringing a man out to run for Congress in the district, seeing the fight going on between Wells and Howe; but afterward one or two of them told me in Holly Springs that they thought they had better not attempt it, for the reason that if they brought a man out it would unite the republicans and they would be defeated any how; and they were discussing the matter among themselves as to which of these two men they should vote for; and some were disposed to vote for Wells and others for Howe; but a charge was subsequently published against Howe for having in his possession money belonging to Panola County, which he said he would not give up until the courts compelled him to do it. This drove the democrats to the support of Wells, with some exceptions.

CONGRESSMAN HOWE CHARGED WITH BEING A DEFAULTER.

Q. What position had Howe held?—A. He had been in Congress.

Q. How did he get this money into his hands, belonging to Panola County?—A. I think he had been treasurer of the county.

Q. Was he accused of being a defaulter of that county?—A. Yes, sir.

Q. Then the democrats refused to support him and went for Wells?—A. Yes, sir.

Q. Did any number of colored men vote the democratic ticket at the last election in your county?—A. The result shows that, though I do not know the names of those who did it.

THE ELECTION AT HOLLY SPRINGS ENTIRELY FAIR.

Q. The election was, as far as you know, entirely fair and properly conducted?—A. The election in Holly Springs was fair; that I have not failed to state, and could not do it conscientiously.

THE WITNESS'S LETTER TO THE PRESIDENT.

Q. Did you publish a letter after the election in 1875, giving your views as to the course of the administration of Governor Ames in this State and its effect upon the election in that year?—A. I did. It was a letter I addressed to the President of the United States.

Q. Have you a copy of that with you?—A. I have not.

Q. Was it published here in the State?—A. Yes, sir; it was published in the Jackson Daily Times.

Q. That is a republican paper?—A. One of the best in the State and one of the best in the country.

Q. What was the date of that letter?—A. The 6th of November, I think. It was four days after the election.

Q. Do you know about what time it appeared here in the Times?—A. No, sir.

Q. Was this letter deliberately written by you to the President?—A. It was.

WHY THE LETTER WAS WRITTEN.

Q. Was it for the purpose of giving him the true information in regard to the affairs of your party in this State?—A. Yes, sir. The object of my writing that letter was simply this: I believed then, as I do now, that certain imprudent men, so-called republicans, had broken our party down, and that after the defeat they rushed to Washington and were trying to mislead the President and throw the blame on the pure republican party of the State and the innocent old white citizens.

As I have said in one or two Christian papers in explanation of my reason for writing that letter, I felt it my duty as a Christian man, as far as my humble influence would go, to defend both the old white citizens and the innocent republican party against their attempt to throw the results of their faults upon them.

Another reason was this: I am a republican in every sense, and I was not only trying to have fair play done all the people here, but I was working for the future good of the republican party, and for this reason I believed that if these men succeeded in deceiving the President and the national republican party into recognizing them, they would on the strength of that recognition come back and force themselves upon us as leaders and kill our party forever. Those were my reasons for writing that letter.

STILL STANDS BY THAT LETTER.

Q. Does it receive your deliberate approval at this time—all the facts stated?—A. It does.

THE LETTER.

[The Daily Times, November 10, 1876.]

Senator Revels to the President—His views on the situation.

HOLLY SPRINGS, MISS., *November* 6, 1875.

To His Excellency U. S. GRANT,
President of the United States.

MY DEAR SIR: In view of the results of the recent election in our State, I have determined to write you a letter canvassing the situation and giving you my views thereon. I will premise by saying that I am no politican, though having been honored by a seat in the United States Senate. I never have sought political preferment, nor do I ask it now, but am engaged in my calling—the ministry—and feeling an earnest desire for the welfare of all the people, irrespective of race or color, I have deemed it advisable to submit to you for consideration a few thoughts in regard to the political situation in this State,

Since reconstruction, the masses of my people have been, as it were, enslaved in mind by unprincipled adventurers, who, caring nothing for country, were willing to stoop to anything, no matter how infamous, to secure power to themselves and perpetuate it. My people are naturally republicans and always will be, but as they grow older in freedom so do they in wisdom. A great portion of them have learned that they were being used as mere tools, and, as in the late election, not being able to correct the existing evil among themselves, they determined, by casting their ballots against these unprincipled adventurers, to overthrow them; and now that they have succeeded in defeating these unprincipled adventurers, they are organizing for a republican victory in 1876; that we will be successful there cannot be a doubt. There are many good white republicans in the State who will unite with us, and who have aided us in establishing ourselves as a people. In almost every instance these men who have aided us have been cried down by the so-called republican officials in power in the State. My people have been told by these schemers when men were placed upon the ticket who were notoriously corrupt and dishonest, that they must vote for them; that the salvation of the party depended upon it; that the man who scratched a ticket was not a republican. This is only one of the many means these unprincipled demagogues have devised to perpetuate the intellectual bondage of my people. To defeat this policy, at the late election men irrespective of race, color, or party affiliation, united and voted together against men known to be incompetent and dishonest. I cannot recognize, nor do the masses of my people who read recognize, the majority of the officials who have been in power for the past two years as republicans. We do

not believe that republicanism means corruption, theft, and embezzlement. These three offenses have been prevalent among a great portion of our office-holders; to them must be attributed the defeat of the republican party in the State if defeat there was; but I, with all the lights before me, look upon it as an uprising of the people, the whole people, to crush out corrupt rings and men from power. Mississippi is to-day as much republican as it ever was, and in November, 1876, we will roll up a rousing majority for the republican candidate for President, whoever he may be.

The great masses of the white people have abandoned their hostility to the General Government and republican principles, and to-day accept as a fact that all men are born free and equal, and I believe are ready to guarantee to my people every right and privilege guaranteed to an American citizen. The bitterness and hate created by the late civil strife has, in my opinion, been obliterated in this State, except, perhaps, in some localities, and would have long since been entirely obliterated, were it not for some unprincipled men who would keep alive the bitterness of the past and inculcate a hatred between the races, in order that they may aggrandize themselves by office and its emoluments to control my people, the effect of which is to degrade them. As an evidence that party-lines in this State have been obliterated, men were supported without regard to their party affiliations, their birth, or their color by those who heretofore have acted with the democratic party, by this course giving an evidence of their sincerity that they have abandoned the political issues of the past, and were only desirous of inaugurating an honest State government and restoring a mutual confidence between the races. I give you my opinion, that had our State administration adhered to republican principles and stood by the platform upon which it was elected, the State to-day would have been on the highway of prosperity. Peace would have prevailed within her borders, and the republican party would have embraced within its folds thousands of the best and purest citizens of which Mississippi can boast, and the election just passed would have been a republican victory of not less than eighty to a hundred thousand majority; but the dishonest course which has been pursued has forced into silence and retirement nearly all of the leading republicans who organized and have heretofore led the party to victory. A few who have been bold enough to stand by republican principles and condemn dishonesty, corruption, and incompetency, have been supported and elected by overwhelming majorities. If the State administration had adhered to republican principles, advanced patriotic measures, appointed only honest and competent men to office, and sought to restore confidence between the races, bloodshed would have been unknown, peace would have prevailed, Federal interference been unthought of; harmony, friendship, and mutual confidence would have taken the place of the bayonet.

In conclusion, let me say to you, and through you to the great republican party of the North, that I deemed it my duty, in behalf of my people, that I present these facts, in order that they and the white people (their former owners) should not suffer the misrepresentations which certain demagogues seemed desirous of encouraging.

Respectfully,

H. R. REVELS.

WITNESS DOES NOT WANT TO NAME OBNOXIOUS REPUBLICANS.

Q. Can you give here the names of the men who went on to Washington to mislead, as you believe, the President of the United States in regard to the true condition of affairs in this State?—A. Well, if I could be excused from naming them, I would be remarkably glad. Of course, if I am bidden I will do so, but I would prefer to be excused.

Q. If the question is inconvenient to you, I will withdraw it.—A. I would thank you. The men are all named by Attorney-General Harris in his late publication.

THE STATE PEACEABLE SINCE THE ELECTION.

Q. In regard to the condition of your county and the State, so far as you know, has it been peaceable and quiet since the election in 1875?—A. Yes, sir; so far as I know, there has been peace and quiet everywhere.